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JOURNAL

OF THE

HOUSE OF REPRESENTATIVES

OF THE

STATE OF OHIO,

FOR THE REGULAR SESSION OF THE

SIXTY-FIRST GENERAL ASSEMBLY,

COMMENCING

MONDAY, JANUARY 5, 1874.

VOL. LXX.

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REMOTE STORAGE

HOUSE JOURNAL.

HALL OF REPRESENTATIVES,
MONDAY, *January* 5, 1874.

This being the day designated by the Constitution of the State of Ohio for the meeting of the General Assembly, it being the sixty-first session of the State and the twelfth under the present Constitution, Hon. A. T. Wikoff, the Secretary of State, as provided by law, appeared in the chair of the House of Representatives at 10 o'clock A.M., and called the House to order.

Hon. Oakley Case, of Hocking county, was appointed Clerk *pro tem.*, and Amos Layman, of Franklin, assistant.

Whereupon the following named gentlemen appeared, produced their certificates of election, and being duly sworn to support the Constitution of the United States and the Constitution of the State of Ohio, and to discharge with fidelity the duties of Representatives of the State of Ohio, by James Williams, a notary public in and for Franklin county, took their seats as members of the House of Representatives, to wit:

NAMES.	COUNTIES.	NAMES.	COUNTIES.
Richard Ramsay	Adams.	George H. Ford	Geauga.
Thomas M. Robb	Allen.	Isaac M. Barrett	Greene.
Benjamin Myers	Ashland.	Abraham Armstrong	Guernsey.
C. H. Grosvenor	Athens.	Chapman C. Archer	Hamilton.
John H. Mesloh	Auglaize.	Geo. W. Boyce	"
Thos. H. Armstrong	Belmont.	John J. Geghan	"
Eli B. Parker	Brown.	James S. Gordon	"
Jacob Kemp	Butler.	Paul A. J. Huston	"
Joseph Carnahan	Carroll.	Edwin W. Miller	"
J. F. Gowey	Champaign.	Elbert P. Newell	"
Benjamin Neff	Clarke.	John M. Pattison	"
S. A. West	Clermont.	Thomas E. Sater	"
Jesse N. Oren	Clinton.	Wm. M. McKinley	Hancock.
E. S. Holloway	Columbiana.	A. W. Munson	Hardin.
T. J. White	Crawford.	John M. Haag	Henry.
Henry M. Chapman	Cuyahoga.	Thos. H. Baskin	Highland.
John M. Cooley	"	Oakley Case	Hocking.
Orlando J. Hodge	"	M. A. Hoagland	Holmes.
John P. Holt	"	Edgar Martin	Huron.
Joseph M. Poe	"	Thomas J. Harrison	Jackson.
E. M. Walker	Darke.	Reese G. Richards	Jefferson.
T. B. Williams	Delaware.	Allen J. Beach	Knox.
D. C. Richmond	Erie.	Hosmer G. Tryon	Lake.
Geo. S. Baker	Fairfield.	Jonathan Morris	Lawrence.
John L. Myers	Fayette.	William Bell, Jr	Licking.
Geo. L. Converse	Franklin.	John H. Faxon	Lorain.
John H. Heitmann	"	R. C. Thompson	Lucas.
Ezra Mann	Fulton.	Rodney C. McCloud	Madison.
E. A. Stone	Gallia.	Sheldon Newton	Mahoning.

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Names.	Counties.	Names.	Counties.
Robert Hill	Marion.	Robert Barnett	Richland.
F. R. Loomis	Medina.	Milton McCoy	Ross.
O B. Chapman	Meigs.	Benjamin Inman	Sandusky.
Hiram Murlin	Mercer.	George Johnson	Scioto.
Joseph E. Pearson	Miami.	James A. Norton	Seneca.
James Watson	Monroe.	E. M. Green	Shelby.
Christian A Coler	Montgomery.	Edward Brooke	Stark.
James F. Thompson	"	Johnson Sherrick	"
John C. Vincent	Morgan.	Hiram H. Mack	Summit.
Thomas E Duncan	Morrow.	Thos. J. McLain, Jr	Trumbull.
James A. Moorehead	Muskingum.	Edward C. Lewis	Tuscarawas.
John B. Sheppard	"	William H. Conkright	Union.
William Van Meter	Noble.	Henry Weible	Van Wert.
Lebbeus Cole	Ottawa.	James Scott	Warren.
E. R. P. Baker	Perry.	John Varley	Washington.
William T Conklin	Pickaway.	E. B. Eshelman	Wayne.
Jacob B. Ray	Pike.	John W. Nelson	Williams.
Griffin H. Eidson	Preble.	Nathan Hatfield	Wood.
George W. Light	Putnam.	L. A. Brunner	Wyandot.

The presiding officer then announced the next business to be the election of officers of the House, in pursuance of law.

The election of Speaker being then in order,

Mr. McCoy nominated George L. Converse, of Franklin county.

Mr. Thompson of Lucas nominated James Scott, of Warren county.

The House then proceeded to vote *viva voce*, with the following result:

Mr. Converse received 56 votes; Mr. Scott received 37 votes; Mr. McCoy, of Ross county, received 1 vote; and Mr. Thompson, of Lucas county, 1 vote.

Those who voted for Mr. Converse were—

Messrs. Archer, Baker of Fairfield, Baker of Perry, Barnett, Baskin, Beach, Bell, Boyce, Brooke, Brunner, Case, Cole, Conklin, Eshelman, Geghan, Gordon, Green, Haag, Hatfield, Heitmann, Hill, Hoagland, Holt, Huston, Inman, Kemp, Lewis, Light, McCloud, McCoy, McKinley, Mesloh, Miller, Moorehead, Murlin, Myers of Ashland, Nelson, Newell, Newton, Norton, Parker, Pattison, Pearson, Poe, Robb, Sater, Sheppard, Sherrick, Thompson of Montgomery, Van Meter, Vincent, Walker, Watson, Weible, West and White—56.

Those who voted for Mr. Scott were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Barrett, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Coler, Cooley, Conkright, Duncan, Eidson, Faxon, Ford, Gowey, Grosvenor, Harrison, Hodge, Holloway, Johnson, Loomis, Mack, Mann, Martin, McLain, Morris, Munson, Myers of Fayette, Oren, Ramsay, Ray, Richards, Richmond, Stone, Thompson of Lucas, Tryon, Varley and Williams—37.

Mr. Converse voted for Mr. McCoy, and Mr. Scott voted for Mr. Thompson of Lucas.

Mr. Converse, having received a majority of all the votes cast, was declared duly elected Speaker of the House of Representatives.

Messrs. McCoy, Scott and Bell were appointed a committee to conduct the Speaker to the chair.

Upon taking the chair Mr. Converse addressed the House as follows:

Gentlemen: In accepting the trust thus conferred by the votes of

a majority of the members of this House, I desire to return you my sincerest thanks for the gracious and kindly partiality that gives me this preferment.

The duties of the position are manifold and various, and some of them delicate and difficult. The efficiency of the Chair, in preserving the dignity and promoting the convenience of the House in the transaction of its business, depends largely on the friendly and earnest support he may receive in that regard from its members.

Errors of judgment will often occur, with the most careful and prudent, especially when decisions are to be quickly made. I therefore bespeak the kindly support, advice and assistance of each and all of the members of this House, without distinction of party, in the proper performance of these duties. I shall bring to the work an honest purpose of *justice to all* and *partiality to none*, remembering always that the Speaker is only the mouthpiece and servant of the House, "to declare its will, and to obey implicitly all its commands."

Here there is equality and freedom. Each is the peer of every other, speaking, acting, voting on behalf of—and representing *in fact*—a constituency of the sovereign people of the State.

It is to be hoped that our sessions will be marked with *harmony* and *decorum*, as becomes the dignity of the State, and that *without loss of time* we shall earnestly address ourselves to the business which our several constituencies have sent us here to perform. There are several matters that might be mentioned here which seem to demand early legislative attention, but it is more the province of the presiding officer to listen to speeches than to make them.

The House will, therefore, proceed to the next order of business, the selection of a Clerk.

The election of a Chief Clerk being then in order,

Mr. Haag nominated Thomas Coughlin, of Crawford county.

Mr. Hodge nominated B. J. Loomis, of Franklin county.

Those who voted for Mr. Coughlin were—

Messrs. Archer, Baker of Fairfield, Baker of Perry, Barnett, Baskin, Beach, Bell, Boyce, Brooke, Brunner, Case, Cole, Conklin, Converse, Eshelman, Geghan, Gordon, Green, Haag, Hatfield, Heitmann, Hill, Hoagland, Holt, Huston, Inman, Kemp, Lewis, Light, McCloud, McCoy, McKinley, Mesloh, Miller, Moorehead, Murlin, Myers of Ashland, Nelson, Newell, Norton, Parker, Pattison, Pearson, Poe, Robb, Sater, Sheppard, Sherrick, Thompson of Montgomery, Van Meter, Walker, Watson, Weible, West and White—55.

Those who voted for Mr. Loomis were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Barrett, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Coler, Cooley, Conkright, Duncan, Eidson, Faxon, Ford, Gowey, Grosvenor, Harrison, Hodge, Holloway, Johnson, Loomis, Mack, Mann, Martin, McLain, Morris, Munson, Myers of Fayette, Newton, Oren, Ramsay, Ray, Richards, Richmond, Scott, Stone, Thompson of Lucas, Tryon, Varley, Vincent and Williams —40.

Thomas Coughlin, having received a majority of all the votes cast, was declared duly elected Clerk, and having taken the oath of office, entered upon the discharge of his duties.

The election of First Assistant Clerk being then in order,

Mr. Murlin nominated Daniel L. Crites, of Allen county.

Mr. Tryon nominated A. C. Williams, of Lake county.

Those who voted for Daniel L. Crites were—

Messrs. Archer, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Baskin, Beach, Bell, Boyce, Brooke, Brunner, Case, Cole, Conklin, Converse, Eidson, Eshelman, Geghan, Gordon, Green, Haag, Hatfield, Heitmann, Hill, Hoagland, Holt, Huston, Inman, Kemp, Lewis, Light, McCloud, McCoy, McKinley, Mesloh, Miller, Moorehead, Murlin, Myers of Ashland, Nelson, Newell, Norton, Parker, Pattison, Pearson, Poe, Robb, Sater, Sheppard, Sherrick, Thompson of Montgomery, Van Meter, Vincent, Walker, Watson, Weible, West and White—58.

Those who voted for A. C. Williams were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Barrett, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Coler, Cooley, Conkright, Duncan, Faxon, Ford, Gowey, Grosvenor, Harrison, Hodge, Holloway, Johnson, Loomis, Mack, Martin, McLain, Morris, Munson, Myers of Fayette, Newton, Oren, Ramsay, Ray, Richards, Richmond, Scott, Stone, Thompson of Lucas, Tryon, Varley and Williams—37.

Daniel L. Crites, having received a majority of all the votes cast, was declared duly elected First Assistant Clerk.

The next business in order being the election of a Second Assistant Clerk,

Mr. Bell nominated W. B. Dodds, Jr., of Hamilton county.

Mr. Gowey nominated W. D. Moore, of Putnam county.

Those who voted for W. B. Dodds, Jr., were—

Messrs. Archer, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Baskin, Beach, Bell, Boyce, Brooke, Brunner, Case, Cole, Conklin, Converse, Eidson, Eshelman, Geghan, Gordon, Green, Haag, Hatfield, Heitmann, Hill, Hoagland, Holt, Huston, Inman, Kemp, Lewis, Light, McCloud, McCoy, McKinley, Mesloh, Miller, Moorehead, Murlin, Myers of Ashland, Nelson, Newell, Newton, Norton, Parker, Pattison, Pearson, Poe, Robb, Sater, Sheppard, Sherrick, Thompson of Montgomery, Van Meter, Vincent, Walker, Watson, Weible, West and White—59.

Those who voted for W. D. Moore were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Barrett, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Coler, Cooley, Conkright, Duncan, Faxon, Ford, Gowey, Grosvenor, Harrison, Hodge, Holloway, Johnson, Loomis, Mack, Mann, Martin, McLain, Morris, Munson, Myers of Fayette, Oren, Ramsay, Ray, Richards, Richmond, Scott, Stone, Thompson of Lucas, Tryon, Varley and Williams—37.

W. B. Dodds, Jr., having received a majority of all the votes cast, was declared duly elected.

Mr. Crites and Mr. Dodds then came forward, and the oath of office was administered to them by James Williams, notary public, and they entered upon the discharge of their official duties.

Mr. John Baker, member elect from Coshocton county, appeared, presented his credentials, and took the oath of office, which was administered by J. H. Heitmann, notary public of Franklin county.

The election of Sergeant at-Arms being then in order,

Mr. Richmond nominated Harmon Cushman, of Cuyahoga county.

Mr. Archer nominated John L. Huston, of Hamilton county.

Those who voted for John L. Huston were—

Messrs. Archer, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Baskin, Beach, Bell, Boyce, Brooke, Brunner, Case, Cole, Conklin, Converse, Eidson, Eshelman, Geghan, Gordon, Green, Haag, Hatfield, Heitmann, Hill, Hoagland, Holt, Huston, Inman, Kemp, Lewis,

Light, McCloud, McCoy, McKinley, Mesloh, Miller, Moorehead, Murlin, Myers of Ashland, Nelson, Newell, Norton, Parker, Pattison, Pearson, Poe, Robb, Sater, Sheppard, Sherrick, Thompson of Montgomery, Van Meter, Vincent, Walker, Watson, Weible, West and White—58.

Those who voted for Harmon Cushman were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Barrett, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Coler, Cooley, Conkright, Duncan, Faxon, Ford, Gowey, Grosvenor, Harrison, Hodge, Holloway, Johnson, Loomis, Mack, Mann, Martin, McLain, Morris, Munson, Myers of Fayette, Newton, Oren, Ramsay, Ray, Richards, Richmond, Scott, Stone, Thompson of Lucas, Tryon, Varley and Williams—38.

John L. Huston, having received a majority of all the votes cast, was declared duly elected Sergeant-at-Arms of the House of Representatives, when the oath of office was administered by James Williams, notary public, and he entered upon the discharge of his duties.

The election of a First Assistant Sergeant-at-Arms being then in order,

Mr. Lewis nominated Henry S. Bishop, of Cuyahoga county.

Mr. Grosvenor nominated Joseph L. Pickering, of Athens county.

Those who voted for Henry S. Bishop were—

Messrs. Archer, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Baskin, Beach, Bell, Boyce, Brooke, Brunner, Case, Cole, Conklin, Converse, Eshelman, Geghan, Gordon, Green, Haag, Hatfield, Heitmann, Hill, Hoagland, Holt, Huston, Inman, Kemp, Lewis, Light, McCloud, McCoy, McKinley, Mesloh, Miller, Moorehead, Murlin, Myers of Ashland, Nelson, Newell, Newton, Norton, Parker, Pattison, Pearson, Poe, Robb, Sater, Sheppard, Sherrick, Thompson of Montgomery, Van Meter, Walker, Watson, Weible, West and White—57.

Those who voted for Daniel L. Pickering were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Barrett, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Coler, Cooley, Conkright, Duncan, Eidson, Faxon, Ford, Gowey, Grosvenor, Harrison, Hodge, Holloway, Johnson, Loomis, Mack, Mann, Martin, McLain, Morris, Munson, Myers of Fayette, Oren, Ramsay, Ray, Richards, Richmond, Scott, Stone, Thompson of Lucas, Tryon, Varley, Vincent and Williams—39.

Henry S. Bishop, having received a majority of all the votes cast, was declared duly elected First Assistant Sergeant-at-Arms.

The election of a Second Assistant Sergeant-at-Arms being then in order,

Mr. Norton nominated J. T. Martin, of Seneca county.

Mr. Stone nominated Charles Stewart, of Gallia county.

Those who voted for J. T. Martin were—

Messrs. Archer, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Baskin, Beach, Bell, Boyce, Brooke, Brunner, Case, Cole, Conklin, Converse, Eshelman, Geghan, Gordon, Green, Haag, Hatfield, Heitmann, Hill, Hoagland, Holt, Huston, Inman, Kemp, Lewis, Light, McCloud, McCoy, McKinley, Mesloh, Miller, Moorehead, Murlin, Myers of Ashland, Nelson, Newell, Norton, Parker, Pattison, Pearson, Robb, Sater, Sheppard, Sherrick, Thompson of Montgomery, Van Meter, Walker, Watson, Weible, West and White—55.

Those who voted for Charles Stewart were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Barrett, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Coler, Cooley, Conk-

right, Duncan, Eidson, Faxon, Ford, Gowey, Grosvenor, Harrison, Hodge, Holloway, Johnson, Loomis, Mack, Mann, Martin, McLain, Morris, Munson, Myers of Fayette, Newton, Oren, Ramsay, Ray, Richards, Richmond, Scott, Stone, Thompson of Lucas, Tryon, Varley, Vincent and Williams —40.

J. T. Martin, having received a majority of all the votes cast, was declared duly elected Second Assistant Sergeant at-Arms, and having taken the oath of office, entered upon the discharge of his duties.

Mr. Hodge asked and obtained indefinite leave of absence for Henry S. Bishop, First Assistant Sergeant-at-Arms elect, on account of sickness.

Mr. Case offered the following resolution, which was adopted;

H. R. No. 1: *Resolved*, That a message be sent to the Senate informing that body that the House of Representatives has permanently organized by the election of Hon. George L. Converse as Speaker; Thomas Coughlin, Clerk; Daniel L. Crites, First Assistant Clerk; W. B. Dodds, Jr., Second Assistant Clerk; John L Huston, Sergeant-at-Arms; Henry S. Bishop, First Assistant Sergeant-at-Arms; J. T. Martin, Second Assistant Sergeant-at-Arms; and is now ready to proceed to business.

Mr. White offered the following resolution, which was adopted:

H. R. No. 2: *Resolved*, That the Sergeant-at-Arms be authorized and directed to arrange with the Postmaster of the city of Columbus for the delivery in the House of Representatives of letters, papers and other mail matter coming through the post-office to the members and officers of this House.

Mr. Lewis offered the following resolution, which was adopted:

H. R. No. 3: *Resolved*, That when the House takes a recess it shall be to half past two o'clock P.M., and when it adjourns it shall be until ten o'clock of the next legislative day.

Mr. Scott offered the following resolutions, which were adopted:

H. R. No. 4: *Resolved*, That the rules of the last House be and they are hereby adopted for the government of this House till further ordered.

Resolved, That a committee of five be appointed by the Speaker to report rules for the government of the House.

Mr. Baker of Fairfield offered the following resolution, which was adopted:

H. R. No. 5: *Resolved*, That the Secretary of State furnish to the Sergeant-at-Arms a copy of the Journals of the last General Assembly of Ohio, together with copies of Swan & Critchfield's Revised and Swan & Sayler's Supplementary Statutes, with a copy of all laws since the publishing of Swan & Sayler's Supplementary Statutes, for each member of the House, to be returned by him at the close of the session.

Mr. Weible offered for adoption the following resolution:

H. R. No. 6: *Resolved*, That the choice of seats of members be determined by lot, that the Clerk prepare ballots, with the names of members one upon each ballot, the same to be deposited in a suitable place, and as drawn, one at a time, the members, in the order in which their names are drawn, shall have the privilege of selecting their seats; and that all persons be requested to retire without the bar during the drawing, except as seats are selected and occupied, and that the drawing commence immediately.

On motion of Mr. Haag, said resolution was referred to a select committee of three—Messrs. Haag, Case and Weible.

Mr. McLain offered for adoption the following:

H. J. R. No. 1: WHEREAS, The Congress of the United States did, in March last, pass a law, commonly termed the "Salary Bill," whereby the salaries of members of Congress and of other public officers were greatly increased, and whereby large sums of money have been drawn from the national treasury for back pay by members of Congress, to which they were not entitled by any principles of honesty; and

WHEREAS, It is the undoubted sentiment of the people of Ohio that such law should be repealed without delay; therefore

Resolved by the General Assembly of the State of Ohio, That the Senators of Ohio be instructed and the Representatives in Congress requested to use their utmost influence to secure the immediate and unconditional repeal of the said law, so far as the same can constitutionally be done.

Resolved, That the Governor be and he is hereby requested to transmit a copy of these resolutions to each Senator and Representative in Congress from this State at the earliest convenience.

Mr. Haag moved that said resolution be laid upon the table.

On which motion the yeas and nays were demanded, taken, and resulted —yeas 42, nays 54, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Beach, Bell, Case, Carnahan, Cole, Geghan, Gordon, Green, Haag, Hatfield, Hill, Hoagland, Holt, Huston, Inman, Kemp, Light, McCloud, McKinley, Mesloh, Moorehead, Murlin, Myers of Ashland, Newell, Norton, Parker, Pattison, Robb, Sater, Sheppard, Thompson of Montgomery, Van Meter, Walker, Watson, Weible, White and Speaker—42.

Those who voted in the negative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Barrett, Baskin, Boyce, Brooke, Brunner, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Coler, Cooley, Conklin, Conkright, Duncan, Eidson, Eshelman, Faxon, Ford, Gowey, Grosvenor, Harrison, Heitmann, Hodge, Holloway, Johnson, Lewis, Loomis, Mack, Mann, Martin, McCoy, McLain, Miller, Morris, Munson, Myers of Fayette, Newton, Oren, Pearson, Poe, Ramsay, Ray, Richards, Richmond, Scott, Sherrick, Stone, Thompson of Lucas, Tryon, Varley, Vincent, West and Williams—54.

So the motion was disagreed to.

Mr. Eshelman moved that the resolution be referred to a select committee of three, with instructions to report to-morrow morning.

On which motion the yeas and nays were demanded, taken, and resulted —yeas 54, nays 39, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Baskin, Beach, Bell, Boyce, Brooke, Brunner, Case, Cole, Conklin, Eshelman, Geghan, Gordon, Green, Haag, Hatfield, Heitmann, Hill, Hoagland, Holt, Huston, Inman, Lewis, Light, McCloud, McCoy, McKinley, Mesloh, Miller, Moorehead, Murlin, Myers of Ashland, Newell, Newton, Norton, Pattison, Pearson, Poe, Robb, Sater, Sheppard, Sherrick, Thompson of Montgomery, Van Meter, Walker, Watson, Weible, West, White and Speaker—54.

Those who voted in the negative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Barrett, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Coler, Cooley, Conkright, Duncan, Eidson, Faxon, Ford, Gowey, Grosvenor, Harrison, Hodge,

Holloway, Johnson, Loomis, Mack, Mann, Martin, McLain, Morris, Munson, Myers of Fayette, Oren, Ramsay, Ray, Richards, Richmond, Scott, Stone, Thompson of Lucas, Tryon, Varley, Vincent and Williams—39.

So the motion was agreed to.

The Speaker appointed Messrs. Eshelman, Haag and McLain said committee.

Mr. Heitmann moved that the committee to whom H. J. R. No. 1 was referred be instructed to include in the censure U. S. Grant, the President of the United States, by whose signature the salary-grab bill became a law.

Which was agreed to.

Mr. Hodge offered for adoption the following resolution:

H. R. No. 7: WHEREAS, The salary-grab bill was passed through Congress by a union of a majority of Democratic members with a minority of Republican members; and

WHEREAS, Proportionally, according to the whole number of members of Congress, a much larger number of Democrats than Republicans have pocketed and still retain their share of the back-pay plunder; and

WHEREAS, One of this number, Hon. Fernando Wood, was indorsed for Speaker by the Democratic members of Congress at their organization in December last, therefore it is highly proper that the Democratic members of Congress should be especially zealous in securing the repeal of said law.

Said resolution was referred to the select committee to which H. J. R. No. 1 was referred.

Mr. Grosvenor offered for adoption the following resolution:

H. R. No. 8: *Resolved*, That we desire to reiterate the strong, eloquent, and most convincing speech of Hon. Allen G. Thurman, of Ohio, delivered in the Senate of the United States, on the passage of the salary-grab bill, as seeming to embody the whole argument at that time suggested to the mind of our distinguished Senator, and which said able and exhaustive speech was in the words and figures following, to wit:

"Mr. President: There have been some very extraordinary things about this bill, and about this raising of salaries. I think there has been about the greatest legerdemain in the way of legislation that I have ever seen, and now, at this late hour, for the Senator from New Hampshire to get up and make an argument apparently against the bill, but really to carry all the Democratic votes for it, is the most extraordinary of all. [Laughter.]"

Mr. McCoy moved that the name of Allen G. Thurman be striken out where it occurs in the foregoing resolution, and that the name of John Sherman be inserted in lieu thereof.

Which was agreed to.

Said resolution was then referred to the select committee to which was referred H. J. R. No. 1.

Mr. Benjamin Neff, member elect from Clarke county, appeared and took the oath of office as Representative.

Mr. McCoy offered the following resolution, which was adopted:

H. R. No. 9: *Resolved*, That the selection of seats as aforesaid be made the special order for this afternoon, at half-past two o'clock.

Mr. McCoy offered the following resolution, which was adopted:

H. R. No. 10: *Resolved*, That the Speaker be requested to invite the ministers of the gospel who reside in this city, of all denominations, to open the daily sessions of this House with prayer.

On motion of Mr. White, the House took a recess until half-past two o'clock P.M.

HALF-PAST TWO O'CLOCK P.M.

Mr. Orvil Blake, member elect from Portage county, and James L. Haven, of Hamilton county, appeared, presented their credentials, and each took the oath of office as Representative.

The Speaker appointed Charles F. Thompson, Harry Cornell, Harry Irvin, Joseph Albert and Charles Webster, Pages of the House.

Mr. Haag submitted the following report:

The select committee of three to whom was referred H. R. No. 6, relative to choice of seats, having had the same under consideration, report it back, with the recommendation that it be amended by adding at the end of the resolution the following: "except that Messrs. Thompson of Montgomery, Thompson of Lucas, Brooke, Hill, Walker, Scott, McKinley, Barnett, Hatfield, Armstrong of Guernsey, Newton and Vincent be allowed to select their seats before proceeding to the drawing aforesaid, and their names be called in alphabetical order for that purpose," and when so amended that the resolution be adopted.

J. M. HAAG,
O. CASE,
H. WEIBLE.

Which was agreed to; and the resolution was then adopted.

Mr. McCoy offered the following resolution:

H. J. R. No. 2: *Resolved by the General Assembly of the State of Ohio*, That a joint select committee be appointed, consisting of five on the part of the House and — on the part of the Senate, to report rules for the government of the two houses.

The question being on the adoption of said resolution, the yeas and nays were ordered, and resulted—yeas 96, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Armstrong of Guernsey, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Barrett, Baskin, Beach, Bell, Blake, Boyce, Brooke, Brunner, Case, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Cole, Coler, Cooley, Conklin, Conkright, Duncan, Eidson, Eshelman, Faxon, Ford, Geghan, Gowey, Gordon, Green, Grosvenor, Haag, Harrison, Hatfield, Haven, Heitmann, Hoagland, Hodge, Holloway, Holt, Huston, Inman, Johnson, Kemp, Lewis, Light, Loomis, Mack, Mann, Martin, McCloud, McCoy, McKinley, McLain, Mesloh, Miller, Moorehead, Munson, Murlin, Myers of Ashland, Myers of Fayette, Neff, Nelson, Newell, Newton, Norton, Oren, Parker, Pattison, Pearson, Poe, Ramsay, Ray, Richards, Richmond, Sater, Scott, Sheppard, Sherrick, Stone, Thompson of Lucas, Thompson of Montgomery, Tryon, Van Meter, Varley, Vincent, Walker, Watson, Weible, West, White, Williams and Speaker—96.

So the resolution was adopted.

Mr. Heitmann, on leave, introduced the following bill, which was read the first time:

H. B. No. 1: To prohibit payment of per diem to members and officers of the General Assembly while absent, and to repeal an act entitled an act for the compensation of members and officers of the General Assembly, passed April 2, 1866, passed January 20, 1869.

Mr. Holloway offered the following resolution:

H. R. No. 13: *Resolved*, That when this body adjourn at the close of its daily sessions, it adjourn to meet at 10 o'clock A.M.

On motion of Mr. Haag, said resolution was laid on the table.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has adopted the following joint resolution, in which the concurrence of the House of Representatives is requested:

S. J. R. No. 1—By Mr. Andrews: Providing for a joint select committee to wait on the Governor.

Attest: S. K. DONAVIN, *Clerk.*

The question being on the adoption of said resolution, the yeas and nays were ordered, and resulted—yeas 94, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Armstrong of Guernsey, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Barrett, Baskin, Beach, Bell, Blake, Boyce, Brooke, Brunner, Case, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Cole, Coler, Cooley, Conklin, Conkrigbt, Duncan, Eidson, Eshelman, Faxon, Ford, Geghan, Gowey, Green, Grosvenor, Haag, Harrison, Haven, Heitmann, Hill, Hoagland, Hodge, Holloway, Holt, Huston, Inman, Johnson, Kemp, Lewis, Light, Loomis, Mann, Martin, McCloud, McCoy, McKinley, McLain, Mesloh, Miller, Moorehead, Morris, Munson, Murlin, Myers of Ashland, Myers of Fayette, Neff, Nelson, Newell, Newton, Norton, Oren, Parker, Pattison, Pearson, Poe, Ramsay, Ray, Richards, Richmond, Robb, Sater, Scott, Sheppard, Sherrick, Stone, Thompson of Lucas, Thompson of Montgomery, Van Meter, Varley, Vincent, Walker, Watson, Weible, West, Williams and Speaker—94.

So the resolution was adopted.

The Speaker appointed Messrs. Gordon, Beach and Grosvenor members of said committee on the part of the House.

Mr. Archer, on leave, introduced the following bill, which was read the first time:

H. B. No. 2: To amend section 2 of an act amendatory of and supplemental to an act entitled an act to regulate insurance companies doing an insurance business in the State of Ohio, passed April 24, 1873

Mr. Eidson, on leave, introduced the following bill, which was read the first time:

H. B. No. 3: To amend section 70 of an act entitled an act to establish a code of civil procedure, passed March 11, 1873.

Mr. Gordon submitted the following report:

The joint committee of the Senate and House of Representatives appointed to wait upon the Governor have discharged that duty, and the Governor informs them that he will communicate by message immediately.

JAS. W. NEWMAN,
L. C. JONES,
Senate Committee.
JAS. S. GORDON,
C. H. GROSVENOR,
ALLEN J. BEACH,
House Committee.

The Governor's annual message was then received, and read at the Clerk's desk.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has adopted the following joint resolution, in which the concurrence of the House is requested:

S. J. R. No. 3: Relative to the canvass of votes cast for State officers at the October election, 1873.

Attest: S. K. DONAVIN, *Clerk.*

The question being on the adoption of said resolution, the yeas and nays were ordered, and resulted—yeas 90, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Guernsey, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Barrett, Baskin, Beach, Bell, Blake, Boyce, Brooke, Brunner, Case, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Coler, Cooley, Conkright, Duncan, Eshelman, Faxon, Ford, Geghan, Gowey, Gordon, Green, Haag, Harrison, Hatfield, Haven, Heitmann, Hill, Hoagland, Hodge, Holloway, Holt, Huston, Inman, Johnson, Kemp, Lewis, Light, Loomis, Mack, Mann, Martin, McCloud, McCoy, McKinley, McLain, Mesloh, Miller, Moorehead, Morris, Munson, Murlin, Myers of Ashland, Myers of Fayette, Nelson, Newell, Newton, Norton, Oren, Parker, Pattison, Pearson, Poe, Ramsay, Ray, Richards, Robb, Scott, Sheppard, Sherrick, Stone, Thompson of Lucas, Thompson of Montgomery, Van Meter, Varley, Vincent, Walker, Watson, Weible, West, White, Williams and Speaker—90.

So the resolution was adopted.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has adopted the following joint resolution, in which the concurrence of the House of Representatives is requested:

S. J. R. No. 2—By Mr. Newman: Providing for a joint select committee to make all necessary arrangements for the inauguration of the Governor and Lieutenant Governor elect.

Attest: S. K. DONAVIN, *Clerk.*

The question being on the adoption of said resolution, the yeas and nays were ordered, and resulted—yeas 94, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Armstrong of Guernsey, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Barrett, Baskin, Beach, Bell, Blake, Boyce, Brooke, Brunner, Case, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Cole, Coler, Cooley, Conklin, Conkright, Duncan, Eidson, Eshelman, Faxon, Ford, Geghan, Gowey, Gordon, Green, Grosvenor, Haag, Harrison, Hatfield, Haven, Heitmann, Hill, Hoagland, Hodge, Holloway, Holt, Inman, Johnson, Kemp, Lewis, Light, Loomis, Mack, Mann, Martin, McCloud, McCoy, McKinley, McLain, Mesloh, Miller, Moorehead, Morris, Munson, Murlin, Myers of Ashland, Myers of Fayette, Neff, Nelson, Newell, Newton, Norton, Parker, Pattison, Pearson, Poe, Ramsay, Ray, Richards, Richmond, Robb, Sater, Scott, Stone, Thompson of Lucas, Thompson of Montgomery, Tryon, Van Meter, Varley, Vincent, Walker, Watson, Weible, West, Williams and Speaker—94.

So the resolution was adopted.

The Speaker laid before the House the following:

COLUMBUS, January 5, 1874.

Governor and Mrs. Noyes will be happy to see the officers and members of the General Assembly, representatives of the press, and the ladies belonging to their respective families, on Thursday evening, January 8, at eight o'clock, to meet the Hon. William Allen, Governor elect.

On motion of Mr. Weible, the House adjourned.

TUESDAY, JANUARY 6, 1874—10 o'clock A.M.

The House met pursuant to adjournment.

Prayer by Rev. R. R. McNulty, of Columbus.

Mr. Ford moved to dispense with the reading of yesterday's Journal.

Which was agreed to.

Samuel Herron, of Harrison county; William H. Beatty, of Logan county; Guido Marx, of Lucas county; W. P. Howland, of Ashtabula county; and Thomas M. Bay, of Vinton county, presented their certificates of election as Representatives in this General Assembly, and took the oath of office, which was administered to them by J. H. Heitmann, notary public of Franklin county.

Mr. Eshelman submitted the following report:

The select committee of three to whom was referred H. J. R. No. 1, and H. Rs. Nos. 7 and 8, with certain instructions, having had the same under consideration, report them back, with the recommendation that the subjoined resolutions be adopted as a substitute therefor:

Resolved by the General Assembly of the State of Ohio, That inasmuch as the Republican party of the United States, in national convention, held in the city of Philadelphia, on the 5th and 6th days of June, 1872, did declare, by its 11th resolution, that "among the questions which press for attention is that which concerns the relations of capital and labor, and the Republican party recognizes the duty of so shaping legislation as to secure full protection and the amplest field for capital, and for labor, the creator of capital, the largest opportunities and a just share of the mutual profits of these two great servants of civilization"; and inasmuch as President Grant, in his letter accepting that nomination, dated Washington City, D.C., June 10, 1872, did say, "If elected in November, and protected by a kind Providence in health and strength to perform the duties of the high trust conferred, I promise the same zeal and devotion to the good of the whole people for the future of my official life as shown in the past," and yet, despite this solemn pledge made the people of the United States, gave life, by his approving signature, in March last, to a bill passed by Congress, whereby the salaries of members of Congress, of members of the Cabinet, of the President of the United States, and judges of the Supreme Court of the United States were largely increased, was so outrageous a disregard of duty as to justify the Republican party of Ohio, in their State convention held in Columbus on the 21st day of May, 1873, in resolving "That when retrenchment is required to lighten the burden of taxation, and to continue the reduction of the public debt, the increase of salaries is unwise; that we condemn, without reserve, the voting for and receiving increased pay for services already rendered; and we demand that the provisions of the late act of Congress by which salaries were increased shall be promptly and unconditionally repealed."

With more emphasis and directness the Democratic party of Ohio, in State convention, on the 6th of August, 1873, resolved, "That we condemn without reserve the late act of Congress granting additional salaries as unjust and unjustifiable, and demand its immediate and unconditional repeal; and we denounce every member of Congress, whether Republican or Democrat, who supported the law, or received and retained the money procured thereby; and we specially denounce the conduct of President Grant in using the influence of his high position for its passage, and whose official signature made it a law."

Resolved, That after both the great parties of Ohio had thus declared the voice of the people of the State in regard to this measure, President

Grant put upon our people an insult in appointing John A. Bingham to the distinguished and important position of Minister to Japan, which appointment the United States Senate was swift to confirm, thereby aggravating the insult.

Resolved, That we have heard with surprise, through Hon. Mr. Dawes, chairman of the committee on Ways and Means, that President Grant's salary, including the perquisites voted him from time to time by Congress, now reaches the enormous sum of one hundred thousand dollars per year.

Resolved, That inasmuch as the result of bad financial legislation by Congress, and improvident administration of the Federal Government, a crisis was precipitated upon the country in September last, which paralized industry, causing wide-spread distress, which has been taken advantage of to reduce the wages of employes in the workshop, in the factory, in the forge, in the furnace, in the rolling-mill, in the mine, on the railroad, and that of laboring men generally, Congress, in not promptly and unconditionally repealing the late act of Congress granting additional salaries that has so greatly offended men of all parties, has manifested an indifference to their wishes that we are pained to see.

Resolved, That the Senators of Ohio are hereby instructed, and the Representatives in Congress are requested, to use their utmost influence to secure the immediate and unconditional repeal of said act, and that they also use their influence to the utmost against having any more perquisites voted to President Grant.

Resolved, That the Governor be and he is hereby requested to transmit a copy of these resolutions to each Senator and Representative in Congress from the State at the earliest convenience.

E. B. ESHELMAN,
J. M. HAAG.

I respectfully enter my protest against the foregoing report, and decline to concur therewith.

THOS. J. MCLAIN, JR.

The question being upon the adoption of the report of the committee, the yeas and nays were demanded, taken, and resulted—yeas 59, nays 43, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Baskin, Beach, Bell, Boyce, Brooke, Brunner, Case, Cole, Conklin, Eidson, Eshelman, Geghan, Gordon, Green, Haag, Harrison, Hatfield, Heitmann, Hill, Hoagland, Holt, Huston, Inman, Kemp, Lewis, Light, McCloud, McCoy, McKinley, Mesloh, Miller, Moorehead, Murlin, Myers of Ashland, Nelson, Newell, Norton, Parker, Pattison, Pearson, Poe, Robb, Sater, Sheppard, Sherrick, Thompson of Montgomery, Van Meter, Vincent, Walker, Watson, Weible, West, White and Speaker—59.

Those who voted in the negative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Barrett, Beatty, Blake, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Coler, Cooley, Conkright, Duncan, Faxon, Ford, Gowey, Grosvenor, Haven, Herron, Hodge, Holloway, Howland, Johnson, Loomis, Mack, Mann, Marx, Martin, McLain, Morris, Munson, Myers of Fayette, Neff, Newton, Oren, Ramsay, Ray, Richards, Scott, Stone, Thompson of Lucas, Tryon, Varley and Williams—43.

Mr. Loomis offered for adoption the following substitute for the report of the committee:

WHEREAS, The Congress of the United States did, in March last, pass a law commonly termed the "Salary Bill," whereby the salaries of members of Congress and of other public officers were greatly increased, and whereby large sums of money have been drawn from the treasury by members of Congress for such pay, to which they were not entitled by any principles of honesty.; and

WHEREAS, It is the undoubted sentiment of the people of Ohio that such law should be repealed without delay; therefore

Resolved by the General Assembly of the State of Ohio, That our Senators from Ohio in Congress be and are hereby instructed, and the Representatives from Ohio in Congress be and are hereby requested, to earnestly use all honorable efforts to procure the entire and speedy repeal of that portion of the law known as the "salary enactment," and that the Governor be requested to transmit a copy of this resolution to each Senator and Representative in Congress from Ohio.

The question being on the adoption of the substitute, the yeas and nays were ordered, taken, and resulted—yeas 46, nays 57, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Barrett, Bay, Beatty, Blake, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Coler, Cooley, Conkright, Duncan, Eidson, Faxon, Ford, Gowey, Grosvenor, Harrison, Haven, Herron, Hodge, Holloway, Howland, Johnson, Loomis, Mack, Mann, Marx, Martin, McLain, Morris, Munson, Myers of Fayette, Neff, Newton, Oren, Ramsay, Ray, Richards, Scott, Stone, Thompson of Lucas, Tryon, Varley, White and Williams—46.

Those who voted in the negative were—

Messrs. Archer, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Baskin, Beach, Bell, Boyce, Brooke, Brunner, Case, Cole, Conklin, Esbelman, Geghan, Gordon, Green, Haag, Hatfield, Heitmann, Hill, Hoagland, Holt, Huston, Inman, Kemp, Lewis, Light, McCloud, McCoy, McKinley, Mesloh, Miller, Moorehead, Murlin, Myers of Ashland, Nelson, Newell, Norton, Parker, Pattison, Pearson, Poe, Robb, Sater, Sheppard, Sherrick, Thompson of Montgomery, Van Meter, Vincent, Walker, Watson, Weible, West, White and Speaker—57.

So the resolution was disagreed to.

Mr. Grosvenor moved to amend the substitute by adding the following: "and we denounce, without reserve, the action of the Democratic members of the United States House of Representatives in giving to Fernando Wood, of New York, their complimentary vote for Speaker of the House, thus giving the first public indorsement of a recognized salary-grabber."

On which motion the yeas and nays were demanded, taken, and resulted—yeas 49, nays 53, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Barrett, Beatty, Blake, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Coler, Cooley, Conkright, Duncan, Eidson, Faxon, Ford, Gowey, Grosvenor, Harrison, Haven, Herron, Hodge, Holloway, Holt, Howland, Johnson, Loomis, Mack, Mann, Marx, Martin, McLain, Morris, Munson, Myers of Fayette, Neff, Newton, Oren, Ramsay, Ray, Richards, Scott, Stone, Thompson of Lucas, Tryon, Varley, Vincent, Walker, West and Williams—49.

Those who voted in the negative were—

Messrs. Archer, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Baskin, Beach, Bell, Boyce, Brooke, Brunner, Case, Cole, Conklin, Eshelman, Geghan, Gordon, Green, Haag, Hatfield, Heitmann, Hill, Hoagland, Huston, Inman, Kemp, Lewis, Light, McCloud, McCoy, McKinley, Mesloh, Miller, Moorehead, Murlin, Myers of Ashland, Nelson, Newell, Norton, Parker, Pattison, Pearson, Poe, Robb, Sater, Sheppard, Sherrick, Thompson of Montgomery, Van Meter, Watson, Weible, White and Speaker—53.

So the amendment was lost.

The question then being on the substitute for the original resolution, as proposed by the select committee, the yeas and nays were demanded, taken, and resulted—yeas 59, nays 43, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Baskin, Beach, Bell, Boyce, Brooke, Brunner, Case, Cole, Conklin, Eidson, Eshelman, Geghan, Gordon, Green, Haag, Harrison, Hatfield, Heitmann, Hill, Hoagland, Holt, Huston, Inman, Kemp, Lewis, Light, McCloud, McCoy, McKinley, Mesloh, Miller, Moorehead, Murlin, Myers of Ashland, Nelson, Newell, Norton, Parker, Pattison, Pearson, Poe, Robb, Sater, Sheppard, Sherrick, Thompson of Montgomery, Van Meter, Vincent, Walker, Watson, Weible, West, White and Speaker—59.

Those who voted in the negative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Barrett, Beatty, Blake, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Coler, Conkright, Duncan, Faxon, Ford, Gowey, Grosvenor, Haven, Herron, Hodge, Holloway, Howland, Kemp, Loomis, Mack, Mann, Marx, Martin, McLain, Morris, Munson, Myers of Fayette, Neff, Newton, Oren, Ramsay, Ray, Richards, Scott, Stone, Thompson of Lucas, Tryon, Varley and Williams—43.

So the resolutions, as proposed by the select committee, were adopted.

Mr. Scott presented the petition of A. H. Shoemaker and nine other citizens of Warren county, praying a speedy return to strict economy in all departments and expenditures of the State, and that the salaries of State and county officers be reduced to a level with the salaries received by those equally competent who are engaged in other avocations of life.

Which was referred to the committee on Fees and Salaries.

The House then took a recess.

HALF-PAST TWO O'CLOCK P.M.

On leave, the following bills were introduced and read the first time:

H. B. No. 4—By Mr. Geghan: To amend an amendment of sections 7 and 10 of an act to provide against the evils resulting from the sale of intoxicating liquors in the State of Ohio, passed May 1, 1854, and amended April 18, 1870.

H. B. No. 5—By Mr. Norton: To amend section 5 of an act entitled an act to provide for the punishment of crimes, passed March 7, 1835.

H. B. No. 6—By Mr. Poe: For limiting the compensation of certain officers therein named.

H. B. No. 7—By Mr. Miller: To create a board of construction in certain cities.

H. B. No. 8—By Mr. Light: To authorize township trustees to levy a tax to purchase fire and burglar-proof safes.

H. B. No. 9—By Mr. Huston: To amend the 7th section of an act entitled an act to amend an act entitled an act prescribing the rate of taxation for county, bridge, road, and township purposes, passed May 1, 1871, passed April 26, 1872.

H. B. No. 10—By Mr. Sater: For the repeal of an act passed May 3, 1873, to require county commissioners to construct approaches to bridges.

Mr. Scott offered the following resolution, which was agreed to:

Resolved, That the Clerk be authorized to procure the printing of the necessary call-rolls, blanks for the presentation of petitions, and blanks for reports of standing and select committees under the contract of the State with the State Printer.

The Speaker appointed Messrs. McCoy, Case, Bell, Scott and Hodge members of the committee on Rules, as provided for by H. J. R. No. 2.

Mr. Grosvenor offered for adoption the following joint resolution:

H. J. R. No. 9: *Resolved by the General Assembly of the State of Ohio*, That this General Assembly will adjourn over from Friday, January 9, 1874, at 12 o'clock noon of said day, until Monday, January 12, at 10½ A.M.

Mr. Haag gave notice of a desire to discuss said resolution; so under the rule it was laid on the table.

Henry S. Bishop, First Assistant Sergeant-at-Arms elect, appeared, took the oath of office, and entered upon the discharge of his duties.

On motion of Mr. Hodge, the House adjourned.

Attest: THOMAS COUGHLIN, *Clerk.*

WEDNESDAY, JANUARY 7, 1874—10 o'clock A.M.

The House met pursuant to adjournment.

Prayer the Rev. R. R. McNulty, of Columbus.

The Journals of January 5th and 6th were read and approved.

Mr. Hardy, member elect from Defiance and Paulding counties, presented his certificate of election and took the oath of office, which was administered by J. H. Heitmann, notary public of Franklin county.

Mr. Eshelman offered the following resolution, which was adopted:

H. R. No. 11: *Resolved*, That the Commissioner of Railroads and Telegraphs is hereby requested to report to the House, as soon as possible, whether freight cars used on railways cannot be so constructed as to obviate the liability to injury and death to which persons required to couple freight cars are now constantly subjected.

The following bills were introduced and read the first time:

H. B. No. 11—By Mr. Weible: For the relief of securities.

H. B. No. 12—By Mr. Howland: To secure pay to persons performing labor or furnishing materials in constructing railroads.

Mr. Baskin moved that the House do now adjourn.

Which was disagreed to.

Mr. Oren moved that the House do now take a recess.

Mr. McCoy moved that the House do now adjourn.

Which motion, having precedence, was first put and agreed to.

So the House adjourned.

Attest: THOMAS COUGHLIN, *Clerk.*

THURSDAY, JANUARY 8, 1874—10 o'clock A.M.

The House met pursuant to adjournment.

Prayer by the Rev. R. R. McNulty, of Columbus.

The Journal of yesterday was read and approved.

Mr. White offered the following resolution:

H. R. No. 12: *Resolved*, That the Sergeant-at-Arms be directed to employ George Riley, Henry Brigaman and Jacob Newman to take charge of the wash-room and appendages, and also to do all work, as directed by the Sergeant at-Arms, in and about this hall, at a compensation of two dollars and fifty cents per day.

Mr. Ford moved to amend said resolution by striking out "two and a half," and inserting "three dollars."

On which motion the yeas and nays were demanded, taken, and resulted—yeas 4, nays 97, as follows:

Those who voted in the affirmative were—

Messrs. Bell, Chapman of Cuyahoga, Ford and Neff—4.

Those who voted in the negative were—

Messrs. Archer, Armstrong of Belmont, Armstrong of Guernsey, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Barrett, Baskin, Bay, Beach, Beatty, Blake, Boyce, Brooke, Brunner, Case, Carnahan, Chapman of Meigs, Cole, Coler, Cooley, Conklin, Conkright, Duncan, Eidson, Eshelman, Faxon, Geghan, Gowey, Green, Haag, Hardy, Harrison, Hatfield, Haven, Heitmann, Herron, Hill, Hoagland, Hodge, Holloway, Holt, Howland, Huston, Inman, Johnson, Kemp, Lewis, Light, Loomis, Mack, Mann, Martin, McCloud, McCoy, McKinley, McLain, Mesloh, Miller, Moorehead, Morris, Munson, Murlin, Myers of Ashland, Myers of Fayette, Nelson, Newell, Newton, Norton, Oren, Parker, Pattison, Pearson, Poe, Ramsay, Ray, Richards, Robb, Sater, Scott, Sheppard, Sherrick, Stone, Thompson of Lucas, Thompson of Montgomery, Tryon, Van Meter, Varley, Vincent, Walker, Watson, Weible, West, White, Williams and Speaker—97.

So the motion was disagreed to.

Mr. Archer moved to strike out the name of Henry Brigaman, and insert Louis Kemmerle.

Which was disagreed to.

The question then being on the adoption of the resolution, the yeas and nays were demanded, taken, and resulted—yeas 76, nays 23, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Barrett, Baskin, Bay, Beach, Bell, Blake, Boyce, Brooke, Brunner, Case, Carnahan, Chapman of Meigs, Cole, Coler, Cooley, Conklin, Conkright, Duncan, Eidson, Faxon, Green, Haag, Hardy, Harrison, Hatfield, Haven, Heitmann, Herron, Hill, Hoagland, Hodge, Holloway, Holt, Howland, Johnson, Kemp, Light, Mack, Mann, McCloud, McKinley, McLain, Mesloh, Miller, Moorehead, Morris, Murlin, Myers of Ashland, Myers of Fayette, Nelson, Norton, Parker, Pattison, Pearson, Poe, Ramsay, Richards, Scott, Sheppard, Sherrick, Stone, Thompson of Montgomery, Van Meter, Varley, Vincent, Walker, Weible, White, Williams and Speaker—76.

Those who voted in the negative were—

Messrs. Archer, Beatty, Chapman of Cuyahoga, Eshelman, Ford, Geghan, Gowey, Huston, Lewis, Loomis, Martin, McCoy, Munson, Neff,

Newell, Newton, Oren, Ray, Robb, Sater, Thompson of Lucas, Watson and West—23.

So the resolution was adopted.

Mr. Eshelman, from the joint committee appointed to make arrangements for the inauguration of the Governor elect, made the following report:

1. That the judges of the Supreme Court, members of the Constitutional Convention, Executive officers, Mayor and Council, Board of Education, President and officers of the Board of Trade of the city of Columbus, the clergy and members of the press, be and are hereby invited to attend the inauguration; and that they meet with the Senators and Representatives in the Senate Chamber on Monday next, at half-past two o'clock P.M.

2. That the military companies of the State who may be present in the capital on that day be and are hereby invited to do escort duty on the occasion; and for that purpose they meet the Committee of Arrangements and such committee as may be selected on the part of the citizens, at such point as the Committee of Arrangements may designate, and proceed with them to the residence of the Governor elect, and escort him and the Lieutenant-Governor elect to the Governor's room in the State House.

3. The inauguration ceremonies will take place either on the east terrace or in the rotunda of the Capitol, as the committee may direct, and persons assembled in the Senate Chamber will proceed to the place of inauguration in the following order:

The Judges of the Supreme Court;
Members of the Constitutional Convention;
Members of the Press;
The Mayor, and Members of the City Council of the city of Columbus, Board of Education, President and Officers of the Board of Trade;
Officers of the Executive Departments, except the Governor and Lieutenant-Governor;
The Clergy;
The Sergeants-at-Arms and Clerks of the two Houses;
The President *pro tem.* of the Senate and Speaker of the House of Representatives;
The Members of the General Assembly.

4. The joint committee and citizens' committee will accompany the Governor and Governor elect, the Lieutenant-Governor and Lieutenant-Governor elect, the Attorney-General and the Attorney General elect, the Treasurer of State and the Treasurer of State elect, and the Comptroller of the Treasury and the Comptroller of the Treasury elect, to the place of inauguration, where the following exercises will take place:

Music;
Prayer by the Rev. E. L. Rexford;
Presentation of the Governor elect by the Governor;
Inaugural Address;
Oath of office to be administered to the Governor elect by the Chief Justice of the Supreme Court;
Music.

The joint committee and citizens' committee will then escort the Governor to his rooms in the State House; and the Senate and House of Representatives will return to the Senate Chamber, where the oath of

office will be administered to the Lieutenant-Governor by one of the judges of the Supreme Court.

The other Executive officers will take the oath of office in the several rooms in the Capitol assigned to their respective departments.

JOHN G. THOMPSON,
JOHN H. HUDSON,
S. H. BURTON,
Senate Committee.

E. B. ESHELMAN,
MILT. MCCOY,
J. H. HEITMANN,
GEO. H. FORD,
House Committee.

The report of the committee was agreed to.

Messrs. Gordon, Grosvenor and Marx asked and obtained indefinite leave of absence.

Mr. Green presented the petition of S. J. Gamble, J. M. Magie, and nine other citizens of Shelby county, for an act to establish a joint sub-school district.

Which was laid on the table.

Mr. Morris presented the petition of James Mays and 16 other tax-paying citizens of Perry township, Lawrence county, praying for an extension of two years of the provisions of an act entitled an act authorizing the board of education of said township to levy a tax to pay the indebtedness of said township incurred in the erection of school-houses in said township, passed April 20, 1872.

On motion, the petition was laid on the table.

Mr. Brunner presented the petition of Archey Chen, James Smotly and Curtis Berry, Jr., and others, of Crane township, Wyandot county, asking the passage of a law providing for the use of certain money in the hands of the treasurer of said township.

Which was laid on the table.

The following bills were introduced and read the first time:

H. B. No. 13—By Mr. Holloway: To create two election precincts in the township of Fairfield, Columbiana county.

H. B. No. 14—By Mr. Miller: To amend section 2 of an act entitled an act to regulate the election of State and county officers, passed May 3, 1852.

H. B. No. 15—By Mr. Nelson: To authorize the Treasurer of State to cancel and return the bonds in his custody issued by the authority and in pursuance of an act of the General Assembly, entitled an act to authorize counties, cities, incorporated villages and townships to build railroads, and to lease and operate the same, passed April 23, 1872, and the acts amendatory thereof and supplementary thereto, passed March 31, 1873, and to repeal said several acts.

Mr. McCoy, from the select committee on Rules, on leave, submitted a report.

Pending the reading of the report, the Senators, preceded by their President, Clerk and Sergeant-at-Arms, appeared within the hall and were seated; and this being the hour agreed upon for the joint convention of the two houses, for the purpose of counting the votes for Governor, Lieutenant-Governor, and other State officers, the Clerk of the Senate called the roll of Senators, and thirty-five members answered to their names.

The Clerk of the House called the Representatives, and ninety-eight members answered to their names.

The absentees were Messrs. Gordon, Grosvenor, Marx and Richmond.

Whereupon the President of the Senate, in the presence of the convention, proceeded to canvass the votes cast at the October election of 1873 for Governor, Lieutenant-Governor, Treasurer of State and Attorney-General.

Pending the canvassing of the votes, on motion of Mr. Hodge, the convention took a recess until 2½ o'clock P.M.

On motion of Mr. Case, the House then took a recess.

HALF-PAST TWO O'CLOCK P.M

Both houses reassembled in joint convention.

The Clerk of the Senate called the Senators, and twenty-eight Senators answerd to their names.

The Clerk of the House called the Representatives, and eighty-six members answered to their names.

The absentees were Messrs. Beach, Case, Chapman of Meigs, Eidson, Eshelman, Ford, Gowey, Gordon, Grosvenor, Haven, Hill, Kemp, Marx, Morris, Ray, Richmond, Scott, Watson and West.

At the conclusion of the canvass, the President of the Senate, in the presence of the convention, announced the result as follows:

That for Governor, William Allen had 214,654 votes; Edward F. Noyes had 213,837 votes; Gideon T. Stewart had 10,278 votes; and Isaac Collins had 10,109 votes.

William Allen, having received the highest number of votes cast, was declared duly elected Governor of the State of Ohio for the constitutional term of two years from the second Monday of January, A.D. 1874.

That for Lieutenant Governor, Alphonso Hart had 214,226 votes; Barnabas Burns had 213,593 votes; William H. Foster had 10,730 votes; and A. S. Piatt had 10,227 votes.

Alphonso Hart, having received the highest number of votes cast, was declared duly elected Lieutenant-Governor of the State of Ohio for the constitutional term of two years from the second Monday of January, A,D. 1874.

That for Treasurer of State, Isaac Welsh had 213,527 votes; George Weimer had 213,349 votes; George Dodds had 10,653 votes; and J. Harshman had 10,128 votes.

Isaac Welsh, having received the highest number of votes cast, was declared duly elected Treasurer of State of the State of Ohio for the constitutional term of two years from the second Monday of January, A.D. 1874.

That for Attorney-General, John Little had 213,983 votes; Michael A. Daugherty had 213,423 votes; A. H. Mitchell had 10,649 votes; and S. Meyer had 10,026 votes.

John Little, having received the highest number of votes cast, was declared duly elected Attorney-General of the State of Ohio for the constitutional term of two years from the second Monday of January, A.D. 1874.

On motion of Mr. Scott, of the House, the convention adjourned *sine die.*

The House resumed consideration of the report of the select committee on Rules.

Mr. McCoy submitted the following report:

The select committee of five to whom was referred H. R. No. 4, to report rules for the government of the House, having had the same under consideration, submit the following report:

1. The Speaker shall take the chair every day precisely at the hour to which the House shall have adjourned on the preceding day, and shall immediately call the members to order.

2. The Speaker shall examine and correct the Journal before it is read. He shall have a general direction of the hall, and shall have a right to name any member to perform the duties of the chair, but such substitution shall not extend beyond an adjournment.

3. He shall preserve order and decorum in the proceedings of the House, and in case of any disturbance or disorderly conduct in the galleries or lobby, the Speaker, or Chairman of the committee of the whole House, shall have power to cause the same to be cleared.

4. Reporters for newspapers, or stenographers, wishing to take down debates, may be admitted within the bar of the House by the Speaker, who shall assign such places to them as shall not interfere with the convenience of the House.

5. The Speaker shall appoint, at the commencement of the session, the following standing committees, each to consist of seven members, except the committees on the Judiciary, on Agriculture, and on Finance, which shall each consist of nine members, namely:

On Agriculture; on Blind, Deaf and Dumb and Imbecile Asylums; on Claims; on Common Schools and School Lands; on Corporations other than Municipal; on Ditches, Drains and Water-courses; on Enrollment (joint committee); on Fees and Salaries; on Federal Relations; on Finance; on Geology, Mines and Mining; on Insurance; on Insane Asylums; on the Judiciary; on Library; on Manufactures and Commerce; on Medical Colleges and Societies; on Military Affairs and Soldiers' Orphans' Home; on Municipal Corporations; on New Counties and County Affairs; on Penitentiary; on Privileges and Elections; on Public Buildings; on Public Schools; on Public Printing; on Public Works; on Railroads and Telegraphs; on Retrenchment; on Revision; on Roads and Highways; on Reform Schools; on Temperance; on Turnpikes; on Unfinished Business; on Universities and Colleges.

6. All bills, when engrossed, and before being placed on the calendar for third reading, shall be referred to the committee on Revision, and said committee shall carefully revise the phraseology thereof, and re-arrange the sections when necessary, carefully preserving the true intent and meaning of said bills as ordered to be engrossed, and report the same back to the House.

7. All other committees shall be appointed by the Speaker, unless it shall be otherwise directed by the House, in which case they shall be appointed by a vote of the House.

8. The Speaker shall, in the presence of the House, while the same is in session, sign all acts, addresses and joint resolutions, *when passed by both Houses;* and all writs, warrants and subpœnas, issued by order of the House, shall be under his hand, attested by the Clerk.

9. Whenever a member is about to speak, he shall rise from his seat and respectfully address himself to "Mr. Speaker;" and the Speaker shall announce the gentleman from the county he represents, and if there be more than one Representative from such county, then by adding the name of the member. The member may then speak, either from his seat or

from the seat of any other member tendered him for the purpose, or from the Clerk's stand.

10. In all cases, the member who shall first rise and address the Chair shall speak first; but when two or more members shall rise at once, the Speaker shall name the member who is first to speak.

11. No member shall speak more than twice on the same question, unless by leave of the House; and he shall confine himself to the question under debate, and avoid personality.

12. Any member, while discussing a question, may read from books, papers or documents, any matter pertinent to the subject under consideration, without asking leave.

13. Any member may call for a statement of the question, which the Speaker may give sitting.

14. Any member may call for a division of the question, and the decision of the Speaker as to its divisibility shall be subject to appeal, as in questions of order.

15. Any member may decline to serve on any committee, if, at the time, he be a member of three other committees.

16. *Every member present, when the question is put, shall vote, unless the House excuse him.* A request to be excused from voting, or an explanation of a vote, shall not be in order unless made before the House divides, or before the call of the yeas and nays is commenced; and any member requesting to be excused from voting, or desiring to explain his vote, may make a brief verbal statement of the reasons for making such request, and the question of excusing such member shall then be taken without further debate.

17. While the Speaker or Chairman is putting any question, or addressing the House, no one shall walk across the hall; and while a member is speaking, no one shall pass between him and the Chair. No member or other person shall remain at the Clerk's table while the yeas and nays are being called, or ballots counted.

18. Any two members have a right to demand the yeas and nays upon any question before it is put, and upon the call for the yeas and nays, the Clerk shall call over the names alphabetically.

19. Any three members have a right to demand a call of the House, and to send for absent members; and upon a call of the House the names of the members shall be called by the Clerk alphabetically, and the absentees noted.

20. Any five members have a right to demand the previous question.

21. As soon as the House is called to order, prayer may be offered, and a quorum being present, the Journal of the preceding day shall be read by the Clerk, and, if necessary, corrected by the House.

22. As soon as the Journal is read and corrected as aforesaid, the Speaker shall call for—The presentation of petitions and memorials; bills for their second reading; bills for their third reading; introduction of bills; reports of standing committees; reports of select committees. The above business shall be disposed of in the order in which it is arranged, and shall not be in order at any other time, unless by leave of the House.

23. Every petition and memorial shall be referred, on motion, without putting the question for that purpose, unless the reference is objected to by a member at the time of its presentation. No petition or memorial shall be printed unless by special order of the House.

24. Messages from the Senate, and communications from either branch of the Executive department of the State, may be received, read, and dis-

posed of at any time, except when the Speaker is putting a question, while the yeas and nays are being called, or while ballots are being counted.

25. The interim between any two sessions of the House, on the same day, shall be termed a recess; and, on reassembling at the appointed hour, any question pending at the time of taking such recess shall be resumed without any motion to that effect.

26. Every motion shall be reduced to writing, if the Speaker or any member shall desire it.

27. When a motion is made and seconded, it shall be stated by the Speaker; or, being in writing, it shall be read audibly to the House by the Speaker or Clerk, before debate.

28. After a motion is stated by the Speaker, or read by the Clerk, it shall be deemed to be in possession of the House, but may be withdrawn, by leave of the House, at any time before a decision or amendment.

29. All questions, whether in committee or House, except privileged questions, shall be put in the order in which they are made, except in filling blanks, the largest sum or number and longest time shall be first put.

30. Questions shall be distinctly put in this form: "You who are of opinion (as the case may be), say aye," and after the affirmative vote is expressed, "Those of a contrary opinion, say no." If the Speaker doubt, or a division be called for, the House shall divide; those in the affirmative of the question first rising from their seats, and afterward those in the negative, and the Speaker shall determine by count, announcing the number.

31. When a question is under debate, no motion shall be received but to adjourn; to take a recess; to proceed to the orders of the day; to lie on the table; for the previous question; to postpone to a day certain; to commit; to amend; to postpone indefinitely; which several motions shall have precedence of each other in the order in which they are arranged.

32. When a motion is made to commit to a committee of the whole House or to a standing committee, it shall not be in order to amend such motion by substituting any other committee; but if any other committee be suggested, the motion shall be first put upon the committee first named, and afterward upon the committee or committees suggested, in the order in which they are named; but a motion to refer to a committee of the whole House, to a standing committee, or to a select committee, shall have precedence in the order here named.

33. A motion to postpone to a day certain, or indefinitely, being decided, shall not be again allowed at the same stage of the bill or proposition.

34. A motion to adjourn shall be always in order; but being decided in the negative, shall not be again entertained until some motion, call, order or discussion shall take place.

35. The following questions shall be decided without debate, to wit: To adjourn; to take a recess; to lie on the table; to take from the table; to go into committee of the Whole on the orders of the day; and all questions relating to the priority of business.

36. No motion or proposition upon a subject differing from that under consideration shall be admitted under color of amendment.

37. A motion to strike out and insert shall be deemed divisible; and a motion to strike out on a division being negatived, or a motion to in-

sert being decided in the affirmative, shall be equivalent to agreeing to the matter in that form, but shall not preclude further amendment; provided, that substitutes for bills or resolutions shall, for the purposes of amendment, be treated as original propositions.

38. A motion to reconsider a vote must be made by a member voting with the prevailing side, and such motion, to be in order, must be made within the next two days of actual session of the House after such vote was taken; *and the same shall take precedence of all other questions, except a motion to adjourn.*

39. The previous question shall be in this form: "Shall the main question now be put?" It shall only be admitted when demanded by five members; and, until decided, shall preclude further debate, and all amendments and motions, except one motion to adjourn and one motion to lie on the table. All incidental questions, or questions of order, arising after a motion is made for the previous question, and pending such motion, shall be decided, whether on appeal or otherwise, without debate.

40. On a motion for the previous question, and prior to voting on the same, a call of the House shall be in order; but after the demand for the previous question shall have been sustained, no call shall be in order; and the House shall be brought to an immediate vote—first, upon the pending amendments in the inverse order of their age, and then upon the main question.

41. If a call for the previous question be not sustained, the subject under consideration shall not thereby be postponed.

42. If any member, in speaking or otherwise, transgress the rules of the House, the Speaker shall, or any member may, call him to order, and the member called to order shall take his seat, if required to do so by the Speaker, until the question of order is decided.

43. All questions of order shall be decided by the Speaker, without debate; such decision shall be subject to an appeal to the House, by any two members, on which appeal no member shall speak more than once, unless by leave of the House, except the party appealing, who may speak twice, and the Speaker may speak in preference to other members.

44. If the decision be in favor of the member called to order, he shall be at liberty to proceed; if otherwise, he shall not be at liberty to proceed, in case any member object, without leave of the House.

45. If a member call another to order for words spoken in debate, he shall, if required by the Speaker or the member called to order, reduce to writing the language used by the member which he deemed out of order.

46. All questions of order, with the decisions thereon, from which an appeal may have been taken, shall be noted by the Clerk, and put together at the end of the Journal at each session.

47. The several standing and select committees of the House shall have leave to report by bill or otherwise; and it shall be in order for the committees on Enrollment and Revision to report at any time when the House is not otherwise engaged.

48. All reports of committees shall be signed by such members thereof as concur therein, and the report, with the names of the member or members signing the same, shall be read by the Clerk, or at the Clerk's desk by the member making the report, without a motion, unless the reading be dispensed with by the House.

49. No committee shall sit during the daily sessions of the House unless by special leave.

50. When the House shall be ready to proceed to the orders of the day, a motion to go into committee of the whole House, on the orders of the day, shall have precedence of all other motions, except to adjourn, to take a recess, and for the previous question.

51. In forming a committee of the whole House, the Speaker shall leave the chair, and appoint a chairman, who shall preside, and vote as other members.

52. In a committee of the Whole, bills shall be read by the Chairman or Clerk, and considered by sections, unless it shall be otherwise directed by the committee, leaving the preamble to be last considered; the body of the bill shall not be defaced or interlined, but amendments shall be noted by the chairman or Clerk on a separate piece of paper, as the same shall be agreed to by the committee, and so reported to the House; after being reported, the bill and amendments of the committee shall be immediately taken for consideration, unless it shall be otherwise ordered by the House, and again be subject to discussion or amendment before the question to engross shall be taken.

53. The rules of proceeding in committee of the Whole shall be the same as in the House, as far as may be applicable.

54. All bills shall be considered in the order in which they are introduced, unless the House shall otherwise direct.

55. If opposition be made to the bill on the first reading, the question shall be, "Shall the bill be rejected?" If the bill be not rejected, it shall pass to a second reading in the order of proceeding.

56. On the second reading of a bill the Speaker shall state that it is ready for commitment or engrossment; and if no motion or order be made to the contrary, it shall be committed to the committee of the whole House, to be considered in its order; if the bill be ordered to be engrossed, the House shall direct on what day it shall be read the third time. All Senate bills, when altered or amended by the House, shall be engrossed, in like manner as House bills, preparatory to their third reading.

57. When a question is lost on engrossing a bill for a third reading on a particular day, it shall not preclude a question to engross it for a third reading on a different day, unless a division be called for; but if, on a division, the question on engrossing a bill, without including the time for its third reading, shall fail, the bill shall be considered as lost.

68. Bills standing in order for a third reading shall be taken up and read without a motion to that effect, and the question shall be put, "Shall the bill pass?" unless otherwise ordered by the House.

59. When a bill has passed the House, the Speaker shall read its title, substituting the word "act" for the word "bill," and shall demand if the House agree to its title; and if the House is agreed, the Clerk shall make out the title accordingly, and shall certify the passage of the bill upon the back thereof.

60. After commitment and report thereof to the House, or at any time before its passage, a bill or resolution may be committed; but after bills have been read the third time, and put upon their passage, they shall not be recommitted for the purpose of amendment, except under instructions from the House, which instructions shall embody the amendment or amendments proposed.

61. No bill shall at any time be amended by annexing thereto, or incorporating therewith, any other bill or resolution pending before the House.

62. All bills shall be printed, and distributed for the use of the members before the second reading thereof.

63. Resolutions giving rise to debate shall lie over for one day before being acted upon, if, upon their introduction, any member shall give notice of a desire to discuss the proposition therein contained. Upon the passage of all joint resolutions, and all House resolutions involving the expenditure of money, the yeas and nays shall be taken, and entered upon the Journal; and no such resolution involving an expenditure of money, and no resolution having the force and effect of law, shall be passed, except a majority of all the members elected to the House concur therein.

64. No compensation, allowance or perquisite shall be voted to any officer, employe or appointee of the House, other than that prescribed by law or fixed originally by resolution; and this rule shall not be altered or suspended except on three days' notice, and by a two-thirds vote of all the members elected to the House.

65. During the sitting of the House no person shall be admitted within the bar of the House, excepting members of the two houses, their Clerks, assistants, and other officers or persons charged with any message or papers for the House; clergymen, by invitation of the Speaker; the Governor of this or any other State, Judges of the Courts, heads of the different departments, members of Congress, gentlemen who may have been members of either branch of the Legislature of this State, and those who for the time being are members of the Legislatures of other States, and ladies visiting the hall, together with such other persons as may, at any time, be specially invited by any member of the present House; and the use of the hall of the House shall not at any time, by resolution or otherwise, be granted for any other than legislative purposes.

66. A calendar of each successive day's business shall be prepared by the Clerk, printed, and laid upon the desks of members each morning. Upon such calendar, bills for their third reading, and all special orders, shall be placed in the order of priority in which the order is made. Bills for their third reading on a particular day, not reached on that day, shall be placed first upon the calendar in the order of third readings of each succeeding day until disposed of. No bill found upon the calendar shall be taken up and read by the Clerk out of its order thereon, except by direction of the House.

67. These rules shall not be altered, except after at least one day's notice of the intended alteration, and by the vote of a majority of all the members elected to the House; and no rule shall be suspended, except by a vote of at least two-thirds of the members present; provided rule 64 shall not be altered or suspended except as therein prescribed.

68. Cushing's Manual shall be received as the rule in all cases not provided for in the foregoing rules, and in cases not provided for by Cushing's Manual, Cushing's Law of Legislative Assemblies shall be the rule.

MILTON MCCOY, O. J. HODGE,
O. CASE, J. SCOTT.
WM. BELL, JR,

Mr. Hodge moved to add after the words "Reform Schools," the words "for Boys and Girls."

Which was agreed to.

Mr. Armstrong of Guernsey moved to add as rule 67 the following:

67. It shall be the duty of the Sergeant-at-Arms and his assistants to prevent smoking within the House during the session of the House.

Mr. McCoy moved to amend the motion by adding after the word "smoking," the words "and chewing."

Which was agreed to.

The question then being on agreeing to the amendment of Mr. Armstrong, as amended, it was disagreed to.

The question then recurring on agreeing to the report of the select committee on Rules, they were agreed to.

Mr. Norton offered the following resolution, which was agreed to:

H. R. No. 13: *Resolved*, That the Sergeant-at-Arms be and he is hereby authorized to furnish to each member and the officers of the House three hundred printed labels for public documents.

Mr. Poe moved that a committee of three be appointed to fully examine into, look over, and add up the election returns from every county in this State of the State officers of 1873, and return to this House their report on Friday next, at 10 o'clock A.M.

Mr. Hodge moved that the House do now adjourn.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 36, nays 53, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Barrett, Bay, Beatty, Blake, Carnahan, Chapman of Meigs, Conkright, Duncan, Eidson, Faxon, Ford, Gowey, Hodge, Holloway, Holt, Howland, Johnson, Loomis, Mack Mann, Martin, McLain, Morris, Munson, Myers of Fayette, Neff, Newell, Oren, Ramsay, Richards, Stone, Tryon, Varley and Vincent—36.

Those who voted in the negative were—

Messrs. Archer, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Baskin, Boyce, Brooke, Brunner, Case, Cole, Coler, Conklin, Eshelman, Geghan, Green, Haag, Hardy, Harrison, Hatfield, Heitmann, Hill, Hoagland, Huston, Inman, Kemp, Lewis, Light, McCloud, McCoy, McKinley, Mesloh, Miller, Murlin, Myers of Ashland, Nelson, Newton, Norton, Pattison, Pearson, Poe, Ray, Robb, Sater, Scott, Sherrick, Thompson of Montgomery, Van Meter, Weible, West, White, Williams and Speaker—53.

So the House refused to adjourn.

Mr. Scott moved to lay the motion of Mr. Poe on the table.

Mr. McLain moved that the House do now adjourn.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 44, nays 52, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Barrett, Bay, Beatty, Blake, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Coler, Cooley, Conkright, Duncan, Eidson, Faxon, Ford, Gowey, Harrison, Haven, Herron, Hodge, Holloway, Howland, Johnson, Loomis, Mack, Mann, Martin, McLain, Morris, Munson, Myers of Fayette, Neff, Oren, Ramsay, Ray, Richards, Scott, Stone, Thompson of Lucas, Tryon, Varley, Vincent and Williams—44.

Those who voted in the negative were—

Messrs. Archer, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Baskin, Boyce, Brooke, Brunner, Case, Cole, Conklin, Eshelman, Geghan, Green, Haag, Hardy, Hatfield, Heitmann, Hill, Hoagland, Holt, Huston, Inman, Kemp, Lewis, Light, McCloud, McCoy, McKinley, Mesloh, Miller, Murlin, Myers of Ashland, Nelson, Newell, Newton, Norton, Parker, Pattison, Pearson, Poe, Robb, Sater, Sherrick, Thompson of Montgomery, Van Meter, Walker, Weible, West, White and Speaker—52.

So the House refused to adjourn.

Mr. Scott demanded a call of the House, and 94 members answered to their names.

Mr. Gowey moved that the House do now adjourn.

On which motion the yeas and nays were demanded, taken, and resulted —yeas 44, nays 53, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Barrett, Bay, Beatty, Blake, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Coler, Cooley, Conkright, Duncan, Eidson, Faxon, Ford, Gowey, Haven, Herron, Hodge, Holloway, Howland, Loomis, Mack, Mann, Martin, McLain, Munson, Myers of Fayette, Neff, Newton, Oren, Ramsay, Ray, Richards, Scott, Stone, Thompson of Lucas, Tryon, Vincent, Walker and Williams—44.

Those who voted in the negative were—

Messrs. Archer, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Baskin, Boyce, Brooke, Brunner, Case, Cole, Conklin, Eshelman, Geghan, Green, Haag, Hardy, Heitmann, Hill, Hoagland, Huston, Inman, Kemp, Lewis, Light, McCloud, McCoy, McKinley, Mesloh, Miller, Moorehead, Murlin, Myers of Ashland, Nelson, Newell, Norton, Parker, Pattison, Pearson, Poe, Robb, Sater, Sheppard, Sherrick, Thompson of Montgomery, Van Meter, Varley, Watson, Weible, West, White and Speaker—53.

So the House refused to adjourn.

Mr. Haag moved that for her proceedings under the call be dispensed with.

Mr. Loomis moved that the House take a recess.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 43, nays 54, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Barrett, Bay, Beatty, Blake, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Coler, Cooley, Conkright, Duncan, Eidson, Faxon, Ford, Gowey, Harrison, Haven, Herron, Hodge, Holloway, Howland, Johnson, Loomis, Mack, Mann, McLain, Munson, Myers of Fayette, Neff, Newton, Oren, Ramsay, Ray, Richards, Scott, Stone, Thompson of Lucas, Tryon, Varley, Vincent and Williams—43.

Those who voted in the negative were—

Messrs Archer, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Baskin, Boyce, Brooke, Brunner, Case, Cole, Conklin, Eshelman, Geghan, Green, Haag, Hardy, Hatfield, Heitmann, Hill, Hoagland, Holt, Huston, Inman, Kemp, Lewis, Light, McCloud, McCoy, McKinley, Mesloh, Miller, Moorehead, Murlin, Myers of Ashland, Nelson, Newell, Norton, Parker, Pattison, Pearson, Poe, Robb, Sater, Sheppard, Sherrick, Thompson of Montgomery, Van Meter, Walker, Watson, Weible, West, White and Speaker—54.

So the House refused to take a recess.

Mr. Hodge moved that the House do now adjourn.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 44, nays 51, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Barrett, Bay, Beatty, Blake, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Coler, Cooley, Conkright, Duncan, Eidson, Faxon, Ford, Gowey, Harrison, Haven, Herron, Hodge, Holloway, Howland, Johnson, Loomis, Mack, Mann, Martin, McLain, Morris, Munson, Myers of Fayette, Neff, Newton, Oren,

Ramsay, Ray, Richards, Scott, Stone, Thompson of Lucas, Tryon, Varley, Vincent and Williams—45.

Those who voted in the negative were—

Messrs. Archer, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Baskin, Boyce, Brooke, Brunner, Case, Cole, Conklin, Eshelman, Geghan, Green, Haag, Hardy, Hatfield, Heitmann, Hill, Hoagland, Huston, Inman, Kemp, Lewis, Light, McCloud, McCoy, McKinley, Mesloh, Miller, Moorehead, Murlin, Myers of Ashland, Nelson, Newell, Norton, Parker, Pattison, Pearson, Poe, Robb, Sater, Sheppard, Sherrick, Thompson of Montgomery, Van Meter, Walker, Watson, Weible, West, White and Speaker—51.

So the House refused to adjourn.

Mr. Norton demanded the previous question, which was duly seconded by five members.

The question then being "Shall the main question be now put?"

Mr. Scott moved to lay the whole subject on the table.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 45, nays 53, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Barrett, Bay, Beatty, Blake, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Coler, Cooley, Conkright, Duncan, Eidson, Faxon, Ford, Gowey, Harrison, Haven, Herron, Hodge, Holloway, Howland, Johnson, Loomis, Mack, Mann, Martin, McLain, Morris, Munson, Myers of Fayette, Neff, Newton, Oren, Ramsay, Ray, Richards, Scott, Stone, Thompson of Lucas, Tryon, Varley, Vincent and Williams—45.

Those who voted in the negative were—

Messrs. Archer, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Baskin, Boyce, Brooke, Brunner, Case, Cole, Conklin, Eshelman, Geghan, Green, Haag, Hardy, Hatfield, Heitmann, Hill, Hoagland, Huston, Inman, Kemp, Lewis, Light, McCloud, McCoy, McKinley, Mesloh, Miller, Moorehead, Murlin, Myers of Ashland, Nelson, Newell, Norton, Parker, Pattison, Pearson, Poe, Robb, Sater, Sheppard, Sherrick, Thompson of Montgomery, Van Meter, Walker, Watson, Weible, West, White and Speaker—53.

So the motion was disagreed to.

Mr. Gowey demanded a call of the House, and 97 members answered to their names.

Mr. Hodge then moved that the House do now adjourn.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 44, nays, 53, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Barrett, Bay, Beatty, Blake, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Coler, Cooley, Conkright, Duncan, Eidson, Faxon, Ford, Gowey, Harrison, Haven, Herron, Hodge, Holloway, Howland, Johnson, Loomis, Mack, Mann, Martin, McLain, Morris, Munson, Myers of Fayette, Neff, Oren, Ramsay, Ray, Richards, Scott, Stone, Thompson of Lucas, Tryon, Varley, Vincent and Williams—44.

Those who voted in the negative were—

Messrs. Archer, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Baskin, Boyce, Brooke, Brunner, Case, Cole, Conklin, Eshelman, Geghan, Green, Haag, Hardy, Hatfield, Heitmann, Hill, Hoagland, Holt, Huston, Inman, Kemp, Lewis, Light, McCloud, McCoy, McKinley, Mes-

loh, Miller, Moorehead, Murlin, Myers of Asbland, Nelson, Newell, Norton, Parker, Pattison, Pearson, Poe, Robb, Sater, Sheppard, Sherrick, Thompson of Montgomery, Van Meter, Walker, Watson, Weible, West and White—53.

So the House refused to adjourn.

On motion of Mr. Haag, all further proceedings under the call were dispensed with.

The question recurring "Shall the main question be now put?" the motion was agreed to.

The motion of Mr. Poe to appoint a committee to examine the returns for State officers was then agreed to.

The Speaker then appointed Messrs. Poe, Green and Eidson members of said committee.

On motion of Mr. Haag, the House adjourned.

Attest: THOMAS COUGHLIN, *Clerk.*

FRIDAY, JANUARY 9, 1874—10 o'clock A.M.

The House met pursuant to adjournment.

Prayer by Rev. R. R. McNulty, of Columbus.

The Journal was read and approved.

Mr. Mack presented the petition of James Arnold and 54 other citizens of Summit county, for the privilege of levying a tax for the purpose of buying a hearse.

On motion, the petition was laid on the table.

The following bills were introduced and read the first time:

H. B. No. 16—By Mr. Neff: To authorize the commissioners of the several counties in this State through which the National or Western Reserve and Maumee roads pass to take under their control so much of said roads as lie within the limits of such counties respectively.

H. B. No. 17—By Mr. Eshelman: To prohibit railroad officials from giving the Governor, Lieutenant-Governor, the private and executive secretaries of the Governor, and all other State officers, members of the Constitutional Convention and their officers, members of the General Assembly and their officers, members of the judiciary, and all county, city and township officers, free railway passes during their official incumbency.

H. B. No. 18—By Mr. Case: Supplementary to an act entitled an act to establish a code of criminal procedure for the State of Ohio, passed May 6, 1869.

H. B. No. 19—By Mr. Stone: To amend sections 1 and 2 of an act entitled an act regulating the fees of witnesses in civil and criminal cases, passed March 16, 1852.

MESSAGE FROM THE SENATE.

Mr. Speaker:,

The Senate has adopted the following joint resolution, in which the concurrence of the House of Representatives is requested:

S. J. R. No. 6: Relative to printing copies of programme of inauguration ceremonies.

Attest: S. K. DONAVIN, *Clerk.*

The question being on the adoption of said resolution, the yeas and nays were taken, and resulted—yeas 85, nays 12, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Barrett, Baskin, Bay, Beach, Bell, Boyce, Brooke, Brunner, Case, Chapman of Cuyahoga, Chapman of Meigs, Cole, Cooley, Conklin, Conkright, Duncan, Eshelman, Faxon, Ford, Gordon, Hardy, Harrison, Hatfield, Heitmann, Herron, Hill, Hoagland, Hodge, Holloway, Holt, Howland, Huston, Inman, Johnson, Kemp, Lewis, Light, Mack, Mann, Martin, McCloud, McCoy, McLain, Mesloh, Miller, Moorehead, Morris, Murlin, Myers of Ashland, Myers of Fayette, Neff, Nelson, Newell, Norton, Oren, Parker, Pattison, Pearson, Ray, Richards, Richmond, Robb, Sater, Scott, Sheppard, Sherrick, Stone, Thompson of Lucas, Thompson of Montgomery, Tryon, Van Meter, Varley, Vincent, Walker, Weible, West and Williams—85.

Those who voted in the negative were—

Messrs. Armstrong of Guernsey, Beatty, Blake, Carnahan, Coler, Gowey, Loomis, Munson, Newton, Ramsay, Watson and White—12.

So the resolution was adopted.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The following bill has been introduced in the Senate, and read the first time:

S. B. No. 1—By Mr. Jones: To repeal certain acts therein named.

Attest: S. K. DONAVIN, *Clerk.*

Mr. Scott moved that the House proceed to the order of the day.

Which was disagreed to.

Mr. Heitmann moved to give the select committee on Election Returns time until to-morrow morning at 10 o'clock to make their report, and that it be made the special order for that hour.

Which was agreed to.

Leave of absence until Monday next was asked and obtained for Messrs. Geghan, Haven and Newell.

Mr. McCloud moved that the House do now adjourn.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 27, nays 69, as follows:

Those who voted in the affirmative were—

Messrs. Baker of Coshocton, Baker of Fairfield, Barnett, Case, Carnahan, Chapman of Cuyahoga, Cooley, Conkright, Gordon, Haag, Holloway, Holt, Howland, Inman, Johnson, Mack, Mann, McCloud, Miller, Murlin, Newell, Newton, Scott, Thompson of Lucas, West and Speaker—27.

Those who voted in the negative were—

Messrs. Archer, Armstrong of Guernsey, Baker of Perry, Barrett, Baskin, Bay, Beach, Beatty, Bell, Blake, Boyce, Brooke, Brunner, Chapman of Meigs, Cole, Coler, Conklin, Duncan, Eshelman, Faxon, Ford, Gowey, Hardy, Harrison, Hatfield, Heitmann, Herron, Hill, Hoagland, Hodge, Huston, Kemp, Lewis, Light, Loomis, Marx, Martin, McCoy, McKinley, McLain, Mesloh, Moorehead, Munson, Myers of Ashland, Myers of Fayette, Neff, Nelson, Norton, Oren, Pattison, Pearson, Ramsay, Ray, Richards, Robb, Sater, Sheppard, Sherrick, Stone, Thompson of Montgomery, Tryon, Van Meter, Varley, Vincent, Walker, Watson, Weible, White and Williams—69.

So the House refused to adjourn.

On motion of Mr. Baker of Fairfield, the House took a recess.

HALF-PAST TWO O'CLOCK P.M.

Leave of absence until Monday next was asked and obtained for Messrs. Beatty and Pearson.

Mr. Sheppard, on leave, introduced the following bill:

H. B. No. 20: To amend section 5 of the act entitled an act relating to roads and highways, passed and took effect March 9, 1868.

Mr. Lewis offered the following resolution:

H. R. No. 14: *Resolved*, That the Pages of this House be each allowed a per diem salary of two dollars per day during the present session, and that the Speaker of the House be authorized to certify the same to said Pages respectively.

Mr. Oren moved to amend the resolution by striking out "two dollars," and inserting "one dollar and fifty cents."

Which was disagreed to.

The question then being on the adoption of the resolution, the yeas and nays were demanded, taken, and resulted—yeas 85, nays 8, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Armstrong of Guernsey, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Beatty, Bell, Blake, Boyce, Brooke, Case, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Cole, Coler, Cooley, Conklin, Duncan, Eshelman, Faxon, Ford, Gowey, Gordon, Haag, Hardy, Harrison, Hatfield, Herron, Hoagland, Hodge, Holloway, Holt, Howland, Huston, Inman, Johnson, Kemp, Lewis, Light, Loomis, Mack, Mann, Martin, McCloud, McCoy, McKinley, McLain, Miller, Moorehead, Morris, Munson, Murlin, Myers of Ashland, Myers of Fayette, Neff, Nelson, Newton, Norton, Oren, Pattison, Pearson, Ramsey, Ray, Richards, Richmond, Robb, Sater, Scott, Sheppard, Sherrick, Stone, Thompson of Lucas, Thompson of Montgomery, Van Meter, Varley, Vincent, Walker, Watson, Weible, West, White, Williams and Speaker—85.

Those who voted in the negative were—

Messrs. Barnett, Baskin, Beach, Brunner, Heitmann, Hill, Mesloh and Parker—8.

So the resolution was adopted.

Mr. Bell offered the following resolution:

H. R. No. 15: *Resolved*, That Harmon Cushman, Sergeant-at-Arms of the last House, is entitled to the sum of fifty dollars for services rendered in the organization of the present General Assembly, and the same is hereby allowed.

Mr. Holloway gave notice of a desire to discuss said resolution; so, under the rule, it was laid on the table.

Mr. Baker of Fairfield moved the suspenson of the rule, in order that the resolution may be acted upon now.

Which was agreed to.

Mr. Coler moved to amend the resolution by inserting "forty" instead of "fifty dollars."

Which was disagreed to.

The question then being on the adoption of the resolution, the yeas and nays were demanded, taken, and resulted—yeas 65, nays 28, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Armstrong of Guernsey, Baker of Coshocton, Baker of Fairfield, Barrett, Baskin, Beach, Beatty, Bell, Brooke, Case, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Cole, Cooley, Conklin, Duncan, Eshelman, Faxon, Ford, Gowey, Gordon, Haag, Hardy, Harrison, Hatfield, Herron, Hill, Hodge, Holt, Howland,

Inman, Johnson, Lewis, Light, Loomis, Mack, Mann, Martin, McCoy, McKinley, Miller, Morris, Munson, Myers of Fayette, Neff, Nelson, Newton, Ramsay, Ray, Richards, Richmond, Robb, Sherrick, Thompson of Lucas, Van Meter, Varley, Walker, Weible, West, White, Williams and Speaker—65.

Those who voted in the negative were—

Messrs. Baker of Perry, Barnett, Blake, Boyce, Brunner, Coler, Heitmann, Hoagland, Holloway, Huston, Kemp, McCloud, McLain, Mesloh, Moorehead, Murlin, Myers of Ashland, Newell, Norton, Oren, Parker, Pattison, Pearson, Scott, Sheppard, Stone, Thompson of Montgomery, and Vincent—28.

So the resolution was adopted.

Leave of absence was asked and obtained until Monday next for Messrs. Bay, Archer and Munson.

Mr. Newton moved that the House do now adjourn until Monday next, at 10 o'clock A.M.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 46, nays 49, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Baker of Coshocton, Baker of Fairfield, Barrett, Beach, Beatty, Blake, Boyce. Chapman of Cuyahoga, Chapman of Meigs, Coler, Cooley, Duncan, Eshelman, Ford, Gowey, Gordon, Hatfield, Inman, Johnson, Light, Loomis, Mack, McCloud, McCoy, Miller, Munson, Murlin, Myers of Ashland, Newell, Newton, Norton, Oren, Parker, Pattison, Pearson, Ramsay, Richmond, Sater, Thompson of Montgomery, Walker, West and White—46.

Those who voted in the negative were—

Messrs. Armstrong of Guernsey, Baker of Perry, Barnett, Baskin, Bell, Brooke, Brunner, Case, Carnahan, Cole, Conklin, Haag, Hardy, Harrison, Heitmann, Herron, Hill, Hoagland, Hodge, Holloway, Holt, Huston, Kemp, Lewis, Martin, McKinley, McLain, Mesloh, Moorehead, Morris, Myers of Fayette, Neff, Nelson, Ray, Richards, Robb, Scott, Sheppard, Sherrick, Stone, Thompson of Lucas, Tryon, Van Meter, Varley, Vincent, Watson, Weible, Williams and Speaker—49.

So the motion was disagreed to, and the House refused to adjourn.

Mr. Scott offered for adoption the following joint resolution:

H. J. R. No. 4: WHEREAS, The people of the State have called a Convention to amend the Constitution, which is now in session; and

WHEREAS, It is now evident from the proceedings of that Convention that it will present to the people a constitution which, if adopted, will necessitate a remodeling of a large portion of the statutes, making amendments to such statutes, and the passage of new laws on kindred subjects, at this time of doubtful propriety; therefore

Resolved by the General Assembly of the State of Ohio, That the Senate and House will address themselves only to the passage of the necessary appropriations and such laws as are imperatively required to meet the necessities of the people till after said new constitution is adopted or rejected, and adjourn at an early day.

Mr. McCoy gave notice of a desire to discuss said resolution; so, under the rule, it was laid on the table.

Mr. Scott moved to suspend the rule, and act upon the resolution now.

Mr. Haag moved that the House do now adjourn.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 28, nays 66, as follows:

Those who voted in the affirmative were—

Messrs. Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Beach, Blake, Boyce, Case, Carnahan, Eshelman, Gordon, Haag, Hatfield, Heitmann, Holt, Inman, Light, McCloud, McCoy, Mesloh, Murlin, Norton, Robb, Sater, Walker, West, White and Speaker—28.

Those who voted in the negative were—

Messrs. Archer, Armstrong of Belmont, Armstrong of Guernsey, Barrett, Baskin, Beatty, Bell, Brooke, Brunner, Chapman of Cuyahoga, Chapman of Meigs, Cole, Coler, Cooley, Conklin, Duncan, Faxon, Ford, Gowey, Hardy, Harrison, Herron, Hill, Hoagland, Hodge, Holloway, Howland, Huston, Johnson, Kemp, Lewis, Loomis, Mack, Martin, McKinley, McLain, Miller, Moorehead, Morris, Munson, Myers of Ashland, Myers of Fayette, Neff, Nelson, Newell, Newton, Oren, Parker, Pattison, Pearson, Ramsay, Ray, Richards, Richmond, Scott, Sheppard, Sherrick, Stone, Thompson of Lucas, Thompson of Montgomery, Tryon, Van Meter, Vincent, Watson, Weible and Williams—66.

So the House refused to adjourn.

The question then being on Mr. Scott's motion to suspend the rule, the yeas and nays were demanded, taken, and resulted—yeas 45, nays 48, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Barrett, Beatty, Bell, Blake, Brooke, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Coler, Cooley, Duncan, Faxon, Gowey, Harrison, Herron, Hoagland, Hodge, Howland, Johnson, Lewis, Loomis, Mann, Martin, McLain, Morris, Munson, Myers of Ashland, Myers of Fayette, Neff, Oren, Pattison, Ramsay, Ray, Richards, Richmond, Scott, Stone, Thompson of Lucas, Tryon, Varley and Williams—45.

Those who voted in the negative were—

Messrs. Archer, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Baskin, Beach, Boyce, Brunner, Case, Cole, Conklin, Eshelman, Gordon, Haag, Hardy, Hatfield, Heitman, Hill, Holloway, Huston, Inman, Kemp, Light, McCloud, McCoy, McKinley, Mesloh, Miller, Moorehead, Murlin, Nelson, Newell, Newton, Norton, Parker, Pearson, Robb, Sater, Sheppard, Sherrick, Thompson of Montgomery, Vincent, Walker, Weible, West and White—48.

So the House refused to suspend the rule.

Mr. Boyce moved that the House do now adjourn.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 66, nays 24, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Baskin, Beach, Beatty, Bell, Boyce, Brooke, Brunner, Case, Carnahan, Chapman of Meigs, Cole, Cooley, Conklin, Eshelman, Gordon, Haag, Hatfield, Heitmann, Hill, Hoagland, Howland, Huston, Inman, Kemp, Lewis, Light, Mack, Mann, McCloud, McCoy, McKinley, Mesloh, Miller, Moorehead, Munson, Murlin, Myers of Ashland, Neff, Nelson, Newell, Newton, Norton, Oren, Parker, Pattison, Pearson, Ray, Richards, Robb, Sater, Scott, Sheppard, Sherrick, Stone, Thompson of Lucas, Thompson of Montgomery, Tryon, Van Meter, Walker, West and White—66.

Those who voted in the negative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Blake, Chapman of Cuyahoga, Coler, Ford, Geghan, Harrison, Herron, Hodge, Hol-

loway, Howland, Johnson, Loomis, Martin, McLain, Morris, Myers of Fayette, Ramsay, Richmond, Varley, Vincent, Weible and Williams—24.

So the motion was agreed to, and the House adjourned.

Attest: THOMAS COUGHLIN, *Clerk.*

SATURDAY, JANUARY 10, 1874—10 o'clock A.M.

The House met pursuant to adjournment.

The Journal of yesterday was read and approved.

Prayer by Rev. R. R. McNulty.

The Speaker announced the following standing committees of the House:

On Agriculture—Messrs. McCoy, Baskin, Barnett, Sater, Thompson of Montgomery, Richmond, Bay, Mack, and Chapman of Cuyahoga.

On Blind, Deaf and Dumb, and Imbecile Asylums—Messrs. Hatfield, Mesloh, Miller, Case, Loomis, Thompson of Lucas, and Chapman of Meigs.

On Claims—Messrs. Conklin, Case, Baker of Fairfield, Nelson, Chapman of Meigs, Loomis and Neff.

On Common Schools and School Lands—Messrs. Case, Sherrick, Light, Moorehead, Martin, Munson and Tryon.

On Corporations other than Municipal—Messrs. Poe, Brooke, Huston, Van Meter, Howland, Coler and Faxon.

On Ditches, Drains and Water-Courses—Messrs. Weible, Light, Hatfield, Robb, Richmond, Conkright and Faxon.

On Enrollment (joint committee)—Messrs. Pattison, Brunner, Parker, Hardy, Neff, Chapman of Meigs, and Chapman of Cuyahoga.

On Fees and Salaries—Messrs. Baker of Fairfield, Hoagland, Cole, Conklin, Vincent, Beatty and Johnson.

On Federal Relations—Messrs. Gordon, Eshelman, Beach, Parker, McLain, Tryon and Hodge.

On Finance—Messrs. Eshelman, Boyce, Poe, Green, Hill, Scott, Ford, Howland and Duncan.

On Geology, Mines and Mining—Messrs. Baker of Perry, Sherrick, Lewis, Van Meter, Holt, McLain and Oren.

On Insane Asylums—Messrs. Lewis, Norton, Barnett, Kemp, Richards, Gowey and Herron.

On Insurance—Messrs. Archer, Myers of Ashland, Bell, Heitmann, Holloway, Grosvenor and Martin.

On Judiciary—Messrs. Haag, Archer, Robb, Pattison, Heitmann, Grosvenor, Scott, Howland and Beatty.

On Library—Messrs. Brooke, Baker of Coshocton, White, McCloud, Armstrong of Guernsey, Armstrong of Belmont, and Newton.

On Manufacturers and Commerce—Messrs. Newell, Mesloh, Inman, Sheppard, Holt, Marx and Mack.

On Medical Colleges and Societies—Messrs. Myers of Ashland, Norton, Light, Lewis, Williams, Ray and Morris.

On Military Affairs and Soldiers' Orphans' Home—Messrs. McCloud, Geghan, McKinley, Watson, Ford, Myers of Fayette, and Cooley.

On Municipal Corporations—Messrs. Miller, Bell, Murlin, McCoy, Marx, Eidson and Hodge.

On New Counties and County Affairs—Messrs. West, Murlin, Walker, Watson, Newton, Ramsay and Ray.

On Penitentiary—Messrs. Beach, Baker of Perry, Weible, Thompson of Montgomery, Haven, Duncan and Varley.

On Privileges and Elections—Messrs. Robb, Brunner, Murlin, Archer, Newton, Thompson of Lucas, and Gowey.

On Public Buildings—Messrs. Kemp, White, Moorehead, Haag, Ramsay, Carnahan and Cooley.

On Public Schools—Messrs. Norton, McKinley, Huston, Inman, Mann, Harrison and Blake.

On Public Printing—Messrs. Brunner, Nelson, Eshelman, Gordon, Barrett, Ray and Holloway.

On Public Works—Messrs. Bell, Heitmann, Pearson, Case, Coler, Haven and Johnson.

On Railroads and Telegraphs—Messrs. Pearson, Gordon, Hoagland, Baskin, Williams, Oren and Bay.

On Retrenchment—Messrs. Hill, Sater, Inman, Kemp, Loomis, Armstrong of Guernsey, and Carnahan.

On Revision—Messrs. Boyce, McKinley, Parker, Sherrick, Grosvenor, Blake and Morris.

On Reform Schools for Boys and Girls—Messrs. Nelson, West, Holt, White, Vincent, Barrett and Stone.

On Roads and Highways—Messrs. Barnett, Moorehead, Cole, Newell, Conkright, Neff and Stone.

On Temperance—Messrs. Baker of Coshocton, Geghan, Mesloh, Walker, Marx, Cooley and Harrison.

On Turnpikes—Messrs. Green, Walker, Baskin, Hardy, Eidson, Munson, and Myers of Fayette.

On Unfinished Business—Messrs. Sheppard, Brooke, Martin, Varley, Richmond, Richards and Mann.

On Universities and Colleges—Messrs. Hardy, Van Meter, Cole, Sheppard, Armstrong of Belmont, Blake and Herron.

The following bills were read the second time:

H. B. No. 4: To amend an amendment of sections 7 and 10 of an act to provide against the evils resulting from the sale of intoxicating liquors in the State of Ohio, passed May 1, 1854, and amended April 18, 1870.

Referred to the committee on Temperance.

H. B. No. 6: Limiting the compensation of certain officers therein named.

Referred to the committee on Judiciary.

H. B. No. 7: To create a board of construction in certain cities.

Referred to the committee on Corporations other than Municipal.

H. B. No. 5: To amend section 5 of an act entitled an act to provide for the punishment of crimes, passed March 7, 1835.

Referred to the committee on Judiciary.

H. B. No. 8: To authorize township trustees to levy a tax to purchase a fire and burglar-proof safe.

Referred to the committee on New Counties and County Affairs.

H. B. No. 9: To amend the 7th section of an act entitled an act to amend an act entitled an act prescribing the rate of taxation for county, bridge, road and township purposes, passed May 1, 1871, passed April 26, 1872.

Referred to the committee on Finance.

H. B. No. 1: To prohibit payment of per diem to members and officers of the General Assembly while absent, and to repeal an act entitled an act supplemental to the act entitled an act to fix the compensation of members and officers of the General Assembly, passed April 2, 1866, passed January 20, 1869.

Referred to the committee on Fees and Salaries.

H. B. No. 2: To amend section 2 of an act amendatory of and supplementary to an act entitled an act to regulate insurance companies doing an insurance business in the State of Ohio, passed April 24, 1873.

Referred to the committee on Insurance.

H. B. No. 3: To amend section 70 of an act entitled an act to establish a code of civil procedure, passed March 11, 1853.

Referred to the committee on Judiciary.

H. B. No. 11: For the relief of securities.

Referred to the committee on Judiciary.

H. B. No. 12: To secure pay to persons performing labor or furnishing materials in constructing railroads.

Referred to the committee on Railroads and Telegraphs.

H. B. No. 13: To create two election precincts in the township of Fairfield, Columbiana county.

Referred to the committee on New Counties and County Affairs.

H. B. No. 14: To amend section 2 of an act entitled an act to regulate the election of State and county officers, passed May 3, 1852.

Referred to the committee on Privileges and Elections.

H. B. No. 15: To authorize the Treasurer of State to cancel and return the bonds in his custody issued by the authority and in pursuance of an act of the General Assembly entitled an act to authorize counties, cities, incorporated villages and townships to build railroads, and to lease and operate the same, passed April 23, 1872, and the acts amendatory thereof and supplementary thereto, passed March 31, 1873, and to repeal said several acts.

Referred to the committee on Judiciary.

Mr. Poe submitted the following report:

The select committee of three to whom was referred the motion to examine, re-count and add up the abstracts of votes cast at the last October election for State officers, having had the same under consideration, report it back, with the information that informalities in the orthography of names have been found, one of which is in Morrow county, to the number of 84 votes being credited in the abstract furnished by the Secretary of State to George Wier, but in the abstract furnished by the clerk of Morrow county, to George Weier, and put down on the abstract furnished by the Secretary of State as scattering. These votes were evidently intended for George Weimer. They were all cast in one township. They do not find sufficient errors to change the results as announced by the joint convention.

J. M. Poe,
E. M. Green,
G. H. Eidson.

Mr. Hodge moved to refer the report back to the select committee.

Mr. Brunner moved to lay the report of the select committee on the table.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 50, nays 36, as follows:

Those who voted in the affirmative were—

Messrs. Baker of Fairfield, Baker of Perry, Barnett, Baskin, Beach, Bell, Boyce, Brooke, Brunner, Case, Cole, Conklin, Eshelman, Green, Haag, Hardy, Hatfield, Heitmann, Hoagland, Holloway, Holt, Huston, Inman, Kemp, Lewis, Light, McCloud, McCoy, McKinley, Mesloh, Moorehead, Murlin, Myers of Ashland, Nelson, Newton, Norton, Parker, Pattison, Robb, Sater, Sheppard, Sherrick, Thompson of Lucas, Thompson of Montgomery, Tryon, Van Meter, Walker, Weible, West and Speaker—50.

Those who voted in the negative were—

Messrs. Armstrong of Guernsey, Baker of Coshocton, Blake, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Coler, Cooley, Duncan, Eidson, Faxon, Gowey, Harrison, Herron, Hodge, Howland, Johnson, Loomis, Mack, Mann, Martin, McLain, Morris, Myers of Fayette, Neff, Oren, Poe, Ramsay, Ray, Richmond, Scott, Stone, Varley, Watson, White and Williams—36.

So the report was laid upon the table.

Mr. Scott offered for adoption the following resolution:

H. J. R. No. 5: *Resolved by the General Assembly of the State of Ohio*, That the Supervisor of Public Printing be and he is hereby directed to have printed and bound in brochure, in one volume, when adopted, 1,500 copies of the joint rules, rules of the Senate and rules of the House, together with a list of the standing committees of the respective houses, and a list of the officers and members of each house, with their county, post-office and occupation, for the use of the members of the General Assembly.

Resolved, That it shall be the duty of the Clerks of the Senate and House to provide the copy for the same.

The question being on the adoption of said resolution, the yeas and nays were taken, and resulted—yeas 85, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Guernsey, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Baskin, Beach, Bell, Blake, Boyce, Brooke, Brunner, Case, Carnahan, Chapman of Cuyahoga, Cole, Coler, Cooley, Conklin, Duncan, Eidson, Eshelman, Faxon, Gowey, Green, Haag, Hardy, Harrison, Hatfield, Heitmann, Herron, Hoagland, Hodge, Holloway, Holt, Howland, Huston, Inman, Johnson, Kemp, Lewis, Light, Loomis, Mack, Mann, Martin, McCoy, McKinley, McLain, Mesloh, Moorehead, Morris, Murlin, Myers of Ashland, Myers of Fayette, Neff, Nelson, Newton, Norton, Oren, Parker, Pattison, Poe, Ramsay, Ray, Richards, Richmond, Robb, Sater, Scott, Sheppard, Sherrick, Stone, Thompson of Lucas, Thompson of Montgomery, Tryon, Van Meter, Varley, Vincent, Walker, Watson, Weible, West, White, Williams and Speaker—85.

So the resolution was adopted.

Mr. Mack moved that the petition of James Arnold and 54 other citizens of Summit county, to levy a tax for buying a hearse, be taken from the table, and referred to a select committee of one.

Which was agreed to.

Mr. Mack was appointed said committee.

Mr. Weible offered the following resolution:

H. R. No. 16: *Resolved*, That the rules of this House be suspended and the privilege of this hall be extended to Mrs. E. D. Stewart, of Springfield, for the purpose of delivering a lecture.

Mr. Haag gave notice of a desire to discuss said resolution; so, under the rule, it was laid on the table.

On motion of Mr. Norton, the House adjourned.

Attest: THOMAS COUGHLIN, *Clerk.*

MONDAY, JANUARY 12, 1874—10 o'clock A.M.

The House met pursuant to adjournment.

Prayer by Rev. Mr. Keen, of Columbus.

The Journal of Saturday was read.

Mr. Hodge moved to correct the Journal as to the report of the select committee to examine, re-count and add up the abstracts of the votes cast at the last October election for State officers, by adding after the words "to refer the report back to the select committee," the words "for a more thorough investigation."

Which was agreed to.

The Journal, as amended, was then approved.

Mr. Walker presented the petition of the board of education of the special school district of Versailles, in the county of Darke, for an act authorizing the issuing of bonds to the amount of $10,000, to raise money to pay for a new school-house in said village.

Which was referred to the committee on Common Schools and School Lands.

The following bills were introduced, and read the first time:

H. B. No. 21—By Mr. Lewis: To regulate the sale of poisons.

H. B. No. 22—By Mr. Coler: To amend section 24 of an act relating to roads and highways, passed March 9, 1868.

H. B. No. 23—By Mr. Haag: To amend section 4 of an act entitled an act to amend sections 28, 181, 313 and 314, as amended February 16, 1866; 374, as amended March 29, 1859; 517, 526, 532 and 557 of the code of civil procedure, passed April 18, 1870.

On motion of Mr. Brunner, the petition of Curtis Berry, Jr., and other citizens of Crane township, Wyandot county, in regard to the passage of a law providing for the use of certain money in the hands of the treasurer of said township, was taken from the table, and referred to the committee on Judiciary.

On motion of Mr. Bell, the House took a recess until 2 o'clock P.M.

TWO O'CLOCK P.M.

The hour having arrived for the inauguration of State officers, on motion of Mr. Scott, the Speaker and members of the House, preceded by the Sergeant-at-Arms and Clerk of the House, repaired to the Senate Chamber, and thence, with the members of the Senate and its officers to the east terrace of the State House, to participate in the inauguration of William Allen, Governor elect; after the inauguration of the Governor, thence to the Senate Chamber, to witness the inauguration of Alphonso Hart, Lieutenant Governor elect; after which the members and officers of the House returned to the Hall of Representatives.

Mr. Scott offered for adoption the following joint resolution, which, on his motion, was laid on the table, and ordered to be printed:

H. J. R. No. 6: *Resolved by the General Assembly of the State of Ohio*, That our Senators be instructed and our members in Congress be requested to use their influence to have submitted to the States for their adoption an amendment to the Federal Constitution providing that no law increasing the compensation for the services of Senators and members in Congress shall take effect until an election for Representatives shall have intervened.

Resolved, That the Governor be requested to forward a copy of this resolution to each of our Senators and Representatives in Congress.

Mr. Baker of Coshocton asked and obtained indefinite leave of absence for himself on account of sickness.

On motion of Mr. White, the House adjourned.

Attest: THOMAS COUGHLIN, *Clerk.*

TUESDAY, JANUARY 13, 1874—10 o'clock A.M.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Keen.

The Journal was read and approved.

Mr. Green presented the petition of Daniel Staley and other citizens of Shelby county, for an act to establish a joint sub-school district in Shelby county, Ohio.

Which was referred to the committee on Common Schools and School Lands.

Mr. Haven presented the petition of John Blackburn and twenty-one other citizens of Green township, Hamilton county, for the passage of an act authorizing the trustees of Green township, Hamilton county, to execute deeds in fee simple to the lessees of ministerial section number 29, on payment of the principal, interest and arrearages.

Which was referred to the committee on Common Schools and School Lands.

The following bills were read the second time:

H. B. No. 10: For the repeal of an act passed May 3, 1873, to require county commissioners to construct approaches to bridges.

Referred to the committee of the Whole.

H. B. No. 16: To authorize the commissioners of the several counties in this State through which the National or Western Reserve and Maumee roads pass to take under their care and control so much of said roads as lies within the limits of such counties respectively.

Referred to the committee on Public Works.

H. B. No. 17: To prohibit railway officials from giving the Governor, Lieutenant-Governor, the private and executive Secretaries of the Governor, and all other State officers, members of the Constitutional Convention and their officers, members of the General Assembly and their officers, members of the judiciary, and all county, city and township officers, free railway passes during their official incumbency.

Referred to the committee on the Judiciary.

H. B. No. 18: Supplementary to an act entitled an act to establish a code of criminal procedure for the State of Ohio, passed May 6, 1869.

Referred to the committee on the Judiciary.

H. B. No. 19: To amend sections 1 and 2 of an act entitled an act regulating the fees of witnesses in civil and criminal cases, passed March 16, 1852.

Referred to the committee on Fees and Salaries.

H. B. No. 20: To amend section 5 of the act entitled an act relating to roads and highways, passed and took effect March 9, 1868.

Referred to the committee on Roads and Highways.

The following bills were introduced, and read the first time:

H. B. No. 24—By Mr. Holt: To amend section 2 of an act to exempt specific articles of personal property from execution, passed April 16, 1873, and took effect on its passage.

H. B. No. 25—By Mr. Parker: To repeal section 5 of an act entitled an act in addition to the several acts in relation to the courts of justices, and their powers and duties, passed April 10, and took effect May 1, 1856.

H. B. No. 26—By Mr. Green: To establish a joint sub-school district in Shelby county.

H. B. No. 27—By Mr. West: Supplementary to an act entitled an act supplementary to an act providing for the punishment of crimes, and of the several acts amendatory and supplementary thereto.

H. B. No. 28—By Mr. Oren: To regulate fares and freights on railroads.

H. B. No. 29—By Mr. Neff: Supplementary to an act entitled an act to amend the 45th section of an act entitled an act to incorporate the State Bank of Ohio, and other banking companies, passed April 14, 1857, and to an act to amend an act entitled an act to authorize free banking, passed March 16, 1865.

H. B. No. 30—By Mr. Haven: Relating to section 29, in Green township, Hamilton county, Ohio.

Mr. Eshelman demanded a call of the House.

The roll was called, and 99 members answered to their names, as follows:

Messrs. Archer, Armstrong of Belmont, Armstrong of Guernsey, Baker of Fairfield, Baker of Perry, Barnett, Barrett, Baskin, Bay, Beach, Beatty, Bell, Blake, Boyce, Brooke, Brunner, Case, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Cole, Coler, Cooley, Conklin, Conkright, Duncan, Eidson, Eshelman, Faxon, Ford, Geghan, Gowey, Gordon, Haag, Hardy, Harrison, Haven, Heitmann, Herron, Hill, Hoagland, Hodge, Holloway, Holt, Howland, Huston, Inman, Johnson, Kemp, Lewis, Light, Loomis, Mack, Mann, Marx, Martin, McCloud, McCoy, McKinley, McLain, Mesloh, Miller, Morris, Munson, Murlin, Myers of Ashland, Myers of Fayette, Neff, Nelson, Newell, Newton, Norton, Oren, Parker, Pattison, Pearson, Poe, Ramsay, Ray, Richards, Richmond, Robb, Sater, Scott, Sheppard, Sherrick, Stone, Thompson of Montgomery, Tryon, Van Meter, Varley, Vincent, Walker, Watson, Weible, West, White, Williams and Speaker.

Mr. Mann moved that further proceedings under the call be dispensed with.

Which was agreed to.

Mr. Eshelman moved that the House of Representatives do now proceed to elect a Senator in the Congress of the United States, in place of Allen G. Thurman, whose term of office will expire on the 4th day of March, A.D. 1875.

Which was agreed to.

Mr. Eshelman nominated Allen G. Thurman as a candidate for United States States Senator.

Mr. Hodge nominated Edward F. Noyes as a candidate for United States Senator.

The House of Representatives then proceeded openly, by a *viva voce* vote of each member present, to name a person for Senator from the State of Ohio in the Congress of the United States, for the constitutional term of six years, beginning on the 4th day of March, A.D. 1875; when the whole number of votes cast for such Senator by the members present was 102, of which number the said Allen G. Thurman received 57 votes for said office, the said Edward F. Noyes received 44 votes for said office, and J. D. Cox received 1 vote.

Those of the members present who voted for the said Allen G. Thurman for said office were—

Messrs. Archer, Baker of Fairfield, Baker of Perry, Barnett, Baskin, Beach, Bell, Boyce, Brooke, Brunner, Case, Cole, Conklin, Eshelman, Geghan, Gordon, Green, Haag, Hardy, Hatfield, Heitmann, Hill, Hoagland, Holt, Huston, Inman, Kemp, Lewis, Light, McCloud, McCoy, McKinley, Mesloh, Miller, Moorehead, Murlin, Myers of Ashland, Nelson, Newell, Norton, Parker, Pattison, Pearson, Poe, Robb, Sater, Sheppard,

Sherrick, Thompson of Montgomery, Van Meter, Vincent, Walker, Watson, Weible, West, White and Speaker—57.

Those who voted for Edward F. Noyes were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Barrett, Bay, Beatty, Blake, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Cooley, Conkright, Duncan, Faxon, Ford, Gowey, Harrison, Haven, Herron, Hodge, Holloway, Howland, Johnson, Loomis, Mack, Mann, Marx, Martin, McLain, Morris, Munson, Myers of Fayette, Neff, Newton, Oren, Ramsay, Ray, Richards, Richmond, Scott, Stone, Thompson of Lucas, Tryon, Varley and Williams—44.

Mr. Eidson voted for J. D. Cox.

So the said Allen G. Thurman received a majority of the whole number of votes cast in the House of Representatives for said office, and the said vote was so declared by the Speaker of said House of Representatives.

Mr. Lewis offered for adoption the following resolution:

H. R. No. 17: *Resolved*, That the Sergeant-at-Arms of this House be and is hereby directed to have made a diagram of this Hall of Representatives, designating the name and place of every member; and is hereby directed to have two hundred and fifty copies printed for the benefit of the Speaker and members.

On motion of Mr. Scott, said resolution was referred to the committee on Public Printing.

Mr. Armstrong of Belmont offered the following resolution, which was agreed to:

H. R. No. 18: *Resolved*, That the Sergeant-at-Arms be and is hereby instructed to distribute the public documents equally to the members, at their respective desks, as soon as such documents are delivered to him; and that he cause a file of bills, tied together with tape, to be prepared for each member, and that he have added thereto, from time to time, the new bills and printed resolutions as they are received from the printer.

Mr. Mack offered for adoption the following resolution:

H. J. R. No. 7: *Resolved by the General Assembly of the State of Ohio*, That the chairman of each committee of the Senate and House of Representatives shall, at some time before the final consideration of any bill referred to his committee, give personal notice to the Senator or Representative introducing such bill, or written notice left on his desk, fixing a time when he may be heard by the committee, for the purpose of stating the objects of the bill or making an explanation thereof.

The question being on the adoption of said resolution, the yeas and nays were taken, and resulted—yeas 93, nays 4, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Armstrong of Guernsey, Baker of Fairfield, Baker of Perry, Barnett, Barrett, Bay, Beach, Beatty, Bell, Blake, Boyce, Brooke, Brunner, Case, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Cole, Cooley, Conklin, Conkright, Duncan, Eidson, Eshelman, Faxon, Ford, Geghan, Gowey, Green, Hardy, Harrison, Hatfield, Haven, Heitmann, Herron, Hill, Hoagland, Holloway, Holt, Howland, Huston, Inman, Johnson, Kemp, Lewis, Light, Loomis, Mack, Mann, Marx, Martin, McCloud, McCoy, McKinley, McLain, Mesloh, Miller, Moorehead, Morris, Munson, Murlin, Myers of Ashland, Myers of Fayette, Neff, Nelson, Newell, Newton, Norton, Oren, Parker, Pattison, Poe, Ramsay, Ray, Richards, Richmond, Robb, Sater, Sheppard, Sherrick, Stone, Thompson of Montgomery, Tryon, Van Meter, Varley, Vincent, Walker, Watson, Weible, White and Williams—93.

Those who voted in the negative were—

Messrs. Gordon, Haag, Scott and Speaker—4.

So the resolution was adopted.

Mr. Hodge offered for adoption the following resolution:

H. R. No. 19: *Resolved*, That the special committee on Rules heretofore appointed be and is hereby requested to take into consideration and report upon the propriety of amending rule 62, so that it will read as follows:

"Motions not pertaining to any proposition before the House, to privileged questions, or to the order of business, and all resolutions giving rise to debate, shall lie over for one day before being acted upon, if, upon their introduction, any member shall give notice of a desire to discuss the proposition therein contained. Upon the passage of all joint resolutions, and all House resolutions involving the expenditure of money, the yeas and nays shall be taken, and entered upon the Journal; and no such resolution involving an expenditure of money, and no resolution having the force and effect of law, shall be passed, except a majority of all the members elected to the House concur therein."

Which was agreed to.

On motion of Mr. Haag, the House took a recess.

HALF-PAST TWO O'CLOCK P.M.

The Speaker presented to the House the reply of O. L. Wolcott, Commissioner of Railroads and Telegraphs, to H. R. No. 11, inquiring whether freight cars on railways cannot be so constructed as to obviate the liability to injury and death.

Which, on motion of Mr. Scott, was laid on the table and ordered to be printed.

The Speaker presented a communication from the Committee of Seventy of New Orleans, requesting our Senators in Congress to recognize the duly elected government of the people of that State.

Which was referred to the committee on Federal Relations.

The Speaker laid before the House a memorial from the Saratoga Monument Association.

Which, on motion of Mr. Scott, was referred to the committee on Federal Relations.

Mr. Sherrick offered the following resolution:

H. R. No. 20: WHEREAS, The question of woman suffrage is agitated by many people in the State of Ohio; therefore

Resolved, That the Constitutional Convention now in session at Cincinnati be requested to submit, in a separate clause, to the women themselves in the State of Ohio, the question of woman suffrage; that all females of sound mind and of the age of twenty-one years be entitled to a vote, and if they decide in the affirmative, shall become a part of the Constitution of the State of Ohio.

Resolved, That the Speaker of the House be instructed to forward a copy of this resolution to the President of the Constitutional Convention at Cincinnati, Ohio.

Mr. McLain gave notice of a desire to discuss; so, under the rule, said resolution was laid on the table.

Mr. Hodge moved that the Constitutional Convention of this State now in session be requested to submit to a vote of the people, in such manner and form as may be deemed most advisable, the question of taxation of ecclesiastical property.

Mr. Conklin moved to lay the motion on the table.

On which the yeas and nays were demanded, taken, and resulted—yeas 39, nays 56, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Barnett, Boyce, Chapman of Cuyahoga, Conklin, Duncan, Eidson, Eshelman, Hatfield, Hoagland, Howland, Inman, Light, McKinley, Mesloh, Miller, Moorehead, Morris, Norton, Oren, Parker, Pattison, Pearson, Poe, Richards, Richmond, Robb, Sater, Sheppard, Sherrick, Thompson of Montgomery, Varley, Vincent, Walker, Watson, West, White and Speaker—39.

Those who voted in the negative were—

Messrs. Archer, Baker of Fairfield, Baker of Perry, Barrett, Bay, Beach, Beatty, Bell, Blake, Brooke, Brunner, Carnahan, Chapman of Meigs, Cole, Cooley, Conkright, Faxon, Ford, Geghan, Hardy, Harrison, Haven, Heitmann, Herron, Hill, Hodge, Holloway, Holt, Huston, Johnson, Kemp, Lewis, Loomis, Mack, Mann, Marx, Martin, McCloud, McCoy, McLain, Munson, Murlin, Myers of Fayette, Neff, Nelson, Newell, Newton, Ramsay, Ray, Scott, Stone, Thompson of Lucas, Tryon, Van Meter, Weible and Williams—56.

So the motion to lay on the table was disagreed to.

Mr. Lewis moved to amend by inserting "that all church property, the valuation of which is above five thousand dollars, should be subject to taxation."

Mr. Morris moved to amend the amendment by inserting "fifteen hundred" instead of "five thousand dollars."

Which was disagreed to.

The question recurring on Mr. Lewis' motion to amend, it was disagreed to.

The question then being on agreeing to the motion of Mr. Hodge, the yeas and nays were demanded, taken, and resulted—yeas 19, nays 76, as follows:

Those who voted in the affirmative were—

Messrs. Blake, Brooke, Chapman of Meigs, Faxon, Geghan, Gordon, Haven, Hodge, Holt, Loomis, Mack, Marx, Martin, McCoy, Nelson, Oren, Ray, Richards and Tryon—19.

Those who voted in the negative were—

Messrs. Archer, Armstrong of Belmont, Armstrong of Guernsey, Baker of Fairfield, Baker of Perry, Barnett, Barrett, Bay Beach, Beatty, Bell, Boyce, Brunner, Case, Carnahan, Chapman of Cuyahoga, Cole, Cooley, Conklin, Conkright, Duncan, Eidson, Eshelman, Haag, Harrison, Hatfield, Heitmann, Herron, Hill, Hoagland, Holloway, Howland, Huston, Inman, Johnson, Kemp, Lewis, Light, Mann, McCloud, McKinley, McLain, Mesloh, Miller, Moorehead, Morris, Munson, Murlin, Myers of Fayette, Neff, Newell, Newton, Norton, Parker, Pattison, Pearson, Poe, Ramsay, Richmond, Robb, Sater, Sheppard, Sherrick, Stone, Thompson of Montgomery, Van Meter, Varley, Vincent, Walker, Watson, Weible, West, White, Williams and Speaker—76.

So the motion was disagreed to.

Mr. Thompson of Lucas offered for adoption the following resolution:

H. R. No. 21: *Resolved*, That a committee of three be appointed to take into consideration the propriety of codifying the existing road laws of the State, and that they report, by bill or otherwise, at an early day.

Which was agreed to.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has adopted the following joint resolution, in which the concurrence of the House of Representatives is requested:

S. J. R. No. 8: Relative to meeting in joint assembly on the election of United States Senator.

Attest: S. K. DONAVIN, *Clerk.*

The question being on the adoption of said resolution, the yeas and nays were taken, and resulted—yeas 88, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Armstrong of Guernsey, Baker of Fairfield, Baker of Perry, Barnett, Barrett, Bay, Beach, Beatty, Bell, Blake, Boyce, Brooke, Brunner, Case, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Cole, Cooley, Conklin, Conkright, Duncan, Eidson, Eshelman, Faxon, Geghan, Haag, Harrison, Hatfield, Haven, Heitmann, Hill, Hoagland, Hodge, Holt, Howland, Huston, Inman, Johnson, Kemp, Light, Loomis, Mack, Mann, Marx, Martin, McCloud, McCoy, McKinley, McLain, Mesloh, Miller, Moorehead, Morris, Munson, Murlin, Myers of Ashland, Myers of Fayette, Neff, Nelson, Newell, Newton, Norton, Oren, Parker, Pattison, Pearson, Poe, Ramsay, Ray, Richards, Robb, Sater, Sheppard, Sherrick, Stone, Thompson of Lucas, Thompson of Montgomery, Tryon, Van Meter, Varley, Vincent, Walker, Watson, Weible, White and Williams—88.

So the resolution was adopted.

Mr. Holloway offered the following resolution:

H. R. No. 22: *Resolved*, That the Sergeant-at-Arms be and is hereby instructed to prohibit smoking in this hall during the sessions of this body.

Mr. McCoy gave notice of a desire to discuss said resolution; so, under the rule, it was laid on the table.

Mr. Hodge moved to suspend the rule, in order that the resolution might be discussed now.

Mr. Thompson of Lucas asked to be excused from voting on the resolution.

Which was not granted.

The question being on the motion to suspend the rules, the yeas and nays were demanded, taken, and resulted—yeas 74, nays 21, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Armstrong of Guernsey, Barrett, Beach, Beatty, Blake, Boyce, Brooke, Brunner, Carnahan, Chapman of Cuyahoga, Cooley, Conkright, Duncan, Eidson, Eshelman, Faxon, Ford, Geghan, Gowey, Harrison, Hatfield, Haven, Heitmann, Herron, Hill, Hoagland, Hodge, Holloway, Holt, Howland, Huston, Inman, Johnson, Kemp, Light, Loomis, Mack, Mann, Marx, Martin, McKinley, McLain, Mesloh, Morehead, Morris, Munson, Myers of Fayette, Neff, Nelson, Newton, Oren, Parker, Pattison, Pearson, Ramsay, Ray, Richards, Robb, Sater, Scott, Sheppard, Sherrick, Stone, Thompson of Montgomery, Tryon, Van Meter, Varley, Vincent, Watson, Weibel, White and Williams—74.

Those who voted in the negative were—

Messrs. Baker of Fairfield, Baker of Perry, Barnett, Bay, Bell, Case, Conklin, Haag, Hardy, Lewis, McCloud, McCoy, Miller, Murlin, Myers of Ashland, Norton, Poe, Thompson of Lucas, Walker, West and Speaker —21.

So the motion was agreed to, and the rule suspended.

Mr. Oren moved to amend the resolution by adding "except in the lobby."

Which was disagreed to.

Mr. Norton moved to amend by inserting after the word "smoking, the words "and chewing of tobacco."

Mr. Haag moved to lay the amendment on the table.

Which was disagreed to.

The question then being on agreeing to Mr. Norton's amendment, the yeas and nays were demanded, taken, and resulted—yeas 29, nays 69, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Belmont, Bell, Blake, Brunner, Case, Cole, Eidson, Ford, Gowey, Gordon, Haag, Hardy, Hill, Hoagland, Lewis, Marx, McCoy, Morris, Murlin, Myers of Ashland, Newton, Norton, Pattison, Poe, Robb, Sater, Thompson of Lucas, West and White—29.

Those who voted in the negative were—

Messrs. Archer, Armstrong of Guernsey, Baker of Fairfield, Baker of Perry, Barnett, Bay, Beach, Beatty, Boyce, Brooke, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Cooley, Conklin, Conkright, Duncan, Eshelman, Faxon, Geghan, Harrison, Hatfield, Haven, Heitmann, Herron, Hodge, Holloway, Holt, Howland, Huston, Inman, Johnson, Kemp, Light, Loomis, Mack, Martin, McCloud, McKinley, McLain, Mesloh, Miller, Moorehead, Munson, Myers of Fayette, Neff, Nelson, Newell, Oren, Parker, Pearson, Ramsay, Ray, Richards, Scott, Sheppard, Sherrick, Stone, Thompson of Montgomery, Tryon, Van Meter, Varley, Vincent, Walker, Watson, Weible, Williams and Speaker—69.

So the amendment was disagreed to.

Mr. Holloway moved to refer the resolution to a select committee of five.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 11, nays 75, as follows:

Those who voted in the affirmative were—

Messrs. Case, Ford, Gordon, Haag, Hardy, Mann, Marx, McCoy, Myers of Ashland, Walker and West—11.

Those who voted in the negative were—

Messrs. Archer, Armstrong of Belmont, Armstrong of Guernsey, Baker of Fairfield, Baker of Perry, Barnett, Barrett, Bay, Beach, Beatty, Bell, Blake, Boyce, Brooke, Brunner, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Cole, Conklin, Conkright, Duncan, Eshelman, Faxon, Gowey, Harrison, Hatfield, Haven, Heitmann, Herron, Hill, Hoagland, Hodge, Holloway, Holt, Howland, Huston, Inman, Johnson, Kemp, Lewis, Light, Loomis, Mack, Martin, McKinley, McLain, Mesloh, Miller, Moorehead, Morris, Murlin, Myers of Fayette, Neff, Nelson, Newell, Newton, Norton, Oren, Richards, Robb, Sater, Scott, Sheppard, Sherrick, Stone, Thompson of Lucas, Tryon, Van Meter, Vincent, Watson, Weible, White and Speaker—75.

So the motion was disagreed to.

Mr. McCoy moved to amend by inserting "while in their seats."

Mr. Baker of Perry moved that the resolution and pending amendments be referred to the committee on Judiciary.

Which was disagreed to.

Mr. McCoy's amendment was then disagreed to.

The question then recurring on the adoption of H. R. No. 22, it was adopted.

Mr. Sater offered the following resolution:

H. J. R. No. 7: *Resolved by the General Assembly of the State of Ohio.* That the Senate and House deem it inexpedient to have a long session: therefore

Resolved, That the present session of the General Assembly shall not set to exceed seventy-five days from the opening of said session.

Mr. Light moved to amend said resolution by inserting sixty-five instead of seventy-five days.

Which was disagreed to.

Mr. Scott then moved to amend said resolution by inserting forty days.

On which motion the yeas and nays were demanded, taken, and resulted —yeas 84, nays 3, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Baker of Fairfield, Baker of Perry, Barnett, Barrett, Bay, Beach, Beatty, Blake, Boyce, Brooke, Brunner, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Cole, Coler, Cooley, Conklin, Conkright, Duncan, Eidson, Eshelman, Faxon, Gowey, Hardy, Harrison, Hatfield, Haven, Heitmann, Herron, Hill, Hoagland, Hodge, Holloway, Holt, Howland, Huston, Inman, Johnson, Lewis, Light, Loomis, Mann, Marx, Martin, McCloud, McCoy, McKinley, McLain, Mesloh, Miller, Moorehead, Murlin, Myers of Ashland, Myers of Fayette, Neff, Nelson, Newton, Norton, Oren, Parker, Pattison, Pearson, Richards, Sater, Scott, Sheppard, Sherrick, Stone, Tryon, Van Meter, Varley, Vincent, Walker, Watson, Weible, West, Williams and Speaker—84.

Messrs, Gordon, Kemp, and Thompson of Lucas voted in the negative.

So the motion was agreed to.

Mr. Murlin moved to refer the resolution and pending amendments to the committee on Finance.

Mr. Norton moved that the House do now adjourn.

Which was disagreed to.

The question then being on referring the resolution and pending amendments to the committee on Finance, the yeas and nays were demanded, taken, and resulted—yeas 27, nays 68, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Guernsey, Baker of Fairfield, Baker of Perry, Barnett, Brunner, Case, Cole, Conklin, Geghan, Gordon, Haag, Hardy, Heitmann, Hill, Holloway, Mann, Marx, McCoy, Norton, Pearson, Ramsay, Richards, Robb, Thompson of Lucas, Walker, Weible, White and Speaker—27.

Those who voted in the negative were—

Messrs. Archer, Armstrong of Belmont, Barrett, Bay, Beach, Beatty, Bell, Blake, Boyce, Brooke, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Coler, Cooley, Conkright, Duncan, Eidson, Eshelman, Gowey, Harrison, Haven, Herron, Hoagland, Hodge, Holt, Howland, Huston, Inman, Johnson, Kemp, Lewis, Light, Loomis, Mack, Martin, McCloud, McKinley, McLain, Mesloh, Miller, Moorehead, Morris, Munson, Murlin, Myers of Ashland, Myers of Fayette, Neff, Nelson, Newell, Newton, Oren, Parker, Pattison, Pearson, Poe, Ray, Richmond, Sater, Scott, Sheppard, Sherrick, Stone, Tryon, Van Meter, Varley, Vincent, Watson, Weible and Williams—68.

So the House refused to refer the resolution.

Mr. Morris asked to be excused from voting on the resolution.

Which was disagreed to.

Mr. McLain offered as an amendment to Mr. Sater's resolution the following:

Resolved, That when the General Assembly adjourn February 14, it adjourn to the first Monday of January, 1875.

Mr. Haag moved to amend the resolution by striking out all after the "14th of February," and inserting "*sine die.*"

Mr. Gordon demanded a call of the House.

The roll was called, and 95 members answered to their names.

Mr. Thompson of Lucas moved that all further proceedings under the call be dispensed with.

Which was agreed to.

On motion of Mr. Thompson of Lucas, the House adjourned.

Attest: THOMAS COUGHLIN, *Clerk.*

WEDNESDAY, JANUARY 14, 1874—10 o'clock A.M.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Keen.

The Journal was read and approved.

Mr. Neff presented the memorial of Isaac Meranda, M.D., and four other physicians of Clarke county.

Which was referred to the committee on Medical Colleges and Societies.

Mr. Parker presented the petition of citizens of Huntington township, Brown county, for an act to authorize the board of education of said township to levy certain taxes.

Which was referred to the committee on the Judiciary.

Mr. Brunner presented the petition of Henry A. Hoyt and 215 other citizens of Crane township, Wyandot county, for the passage of a law to enable the trustees of said township to appropriate certain surplus funds now in the hands of the treasurer of said township.

Which was referred to the committee on Judiciary.

Mr. Barnett presented the memorial of J. E. Wharton and four other members of the State Horticultural Society, memorialzing the Legislature to enact such laws as may seem conducive to secure the State against the evil of the destruction of her forests, and secure the planting and culture of forests.

Which was referred to the committee on Agriculture.

The following bills were introduced and read the first time:

H. B. No. 31—By Mr. Hodge: To amend section 1 of an act entitled an act to amend sections 66, 67 and 70 of the act entitled an act to provide for the creation and regulation of incorporated companies in the State of Ohio, passed May 1, 1852, and to repeal a certain act amendatory thereto, passed and took effect January 26, 1865.

H. B. No. 32—By Mr. Watson: To authorize the trustees of Seneca township, Monroe county, Ohio, to levy a tax to pay bounties to certain volunteers.

H. B. No. 33—By Mr. Marx: To repeal sections 7 and 10 of an act entitled an act to provide against the evils resulting from the sale of intoxicating liquors in the State of Ohio, passed May 1, 1854, and as amended April 18, 1870.

H. B. No. 34—By Mr. Archer: For the relief of Gross & Dietrich.

H. B. No. 35—By Mr. Kemp: To protect land-holders.

H. B. No. 36—By Mr. Robb: To amend section 10 of an act entitled an act to provide for the partition of real estate, passed February 17, 1831.

Mr. Eshelman offered for adoption the following resolution:

H. R. No. 23: *Resolved*, That the President of the Board of Agriculture, the Adjutant-General, the Superintendent of the Girls' Industrial Home, the Superintendent of the Southern Ohio Lunatic Asylum, the Superintendent of the Northern Lunatic Asylum, the Warden of the Ohio Penitentiary, the Superintendent of the Soldiers' and Sailors' Orphans' Home (located at Xenia), the Superintendent of the Ohio Institution for the Education of the Blind, the Superintendent of the Athens Lunatic Asylum, the Superintendent of the Longview Asylum, the State Commissioner of Common Schools, the Superintendent of the Lucas County Insane Asylum, the Superintendent of the Deaf and Dumb Asylum, the Superintendent of the Asylum for Imbecile Youth, the Superintendent of the Reform Farm School for Boys, the Superintendent of the National Road, the Trustees of the Benevolent Institutions, the Superintendent and Trustees of the Central Ohio Lunatic Asylum, the President of the Constitutional Convention, the Superintendent of the State House and Grounds, the Commissioner of State Printing, the President of the Board of Public Works, the State Librarian, the Law Librarian, the Commissioner of Insurance, the Commissioner of Railroads and Telegraphs, the Gas Commissioner, the Governor, the Auditor of State, the Treasurer of State, the Secretary of State, the Comptroller of the Treasury, are hereby requested to report to the House, *within ten days*, for the benefit of the Finance committee, estimates of the amount of money that will be required to administer their respective departments for the fiscal year 1874, and the first quarter of the fiscal year 1875, in an efficient and rigidly economical manner.

Mr. Scott moved that said resolution be referred to the committee on Finance.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 42, nays 55, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Bay, Beatty, Blake, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Coler, Cooley, Conkright, Duncan, Faxon, Ford, Gowey, Harrison, Herron, Hodge, Holloway, Holt, Johnson, Loomis, Mack, Mann, Marx, Martin, McLain, Morris, Munson, Myers of Fayette, Neff, Oren, Ramsay, Ray, Richards, Richmond, Scott, Stone, Thompson of Lucas, Tryon, Varley and Williams—42.

Those who voted in the negative were—

Messrs. Archer, Baker of Fairfield, Baker of Perry, Barnett, Barrett, Baskin, Beach, Boyce, Brooke, Brunner, Case, Cole, Conklin, Eidson, Eshelman, Geghan, Green, Haag, Hardy, Hatfield, Haven, Heitmann, Hill, Hoagland, Huston, Inman, Kemp, Lewis, Light, McCloud, McCoy, McKinley, Mesloh, Miller, Moorehead, Murlin, Myers of Ashland, Nelson, Newell, Norton, Parker, Pattison, Pearson, Poe, Robb, Sater, Sheppard, Sherrick, Thompson of Montgomery, Vincent, Walker, Weible, West, White and Speaker—55.

So the motion to refer was disagreed to.

The question then being on the adoption of the resolution, the yeas and nays were demanded, taken, and resulted—yeas 64, nays 39, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Baker of Fairfield, Baker of Perry, Barnett, Baskin, Beach, Bell, Boyce, Brooke, Brunner, Case, Cole, Conklin, Duncan Eshelman, Geghan, Gowey, Gordon, Green, Haag, Hardy, Hatfield, Heitmann, Hill, Hoagland, Huston, Inman, Johnson, Kemp, Lewis, Light, Marx, McCloud, McCoy, McKinley, Mesloh, Miller, Moorehead, Murlin, Myers of Ashland, Nelson, Newell, Norton, Oren, Parker, Pattison, Pearson, Poe, Robb, Sater, Sheppard, Sherrick, Thompson of Montgomery, Vincent, Walker, Weible, West, White, Williams and Speaker—64.

Those who voted in the negative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Barrett, Bay, Beatty, Blake, Brooke, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Coler, Cooley, Conkright, Eidson, Faxon, Ford, Harrison, Haven, Herron, Hodge, Holloway, Howland, Loomis, Mack, Mann, Martin, McLain, Morris, Munson, Myers of Fayette, Neff, Ramsay, Ray, Richmond, Scott, Stone, Thompson of Lucas, Tryon and Varley—39.

So the resolution was adopted.

Mr. Eshelman moved that the Speaker appoint a committee of three to make immedate inquiry and report to the House why all the reports of the officers of the Executive department were not transmitted to the General Assembly with the Governor's annual message, as required by section 20 of article 3 of the constitution.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 97, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Armstrong of Guernsey, Baker of Fairfield, Baker of Perry, Barnett, Barrett, Baskin, Bay, Beach, Beatty, Bell, Blake, Boyce, Brooke, Brunner, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Cole, Coler, Cooley, Conklin, Conkright, Duncan, Eidson, Eshelman, Faxon, Ford, Geghan, Gowey, Green, Haag, Hardy, Harrison, Hatfield, Haven, Heitmann, Herron, Hill, Hoagland, Hodge, Holloway, Holt, Howland, Huston, Inman, Johnson, Lewis, Light, Loomis, Mack, Mann, Marx, Martin, McCloud, McKinley, McLain, Mesloh, Miller, Moorehead, Munson, Murlin, Myers of Ashland, Myers of Fayette, Neff, Nelson, Newell, Newton, Norton, Oren, Parker, Pattison, Pearson, Poe, Ramsay, Ray, Richards, Richmond, Robb, Sater, Scott, Sheppard, Sherrick, Stone, Thompson of Lucas, Thompson of Montgomery, Tryon, Van Meter, Varley, Vincent, Walker, Weible, West, White, Williams and Speaker—97.

So the motion was agreed to.

The Speaker appointed as said committee Messrs. Eshelman, Mesloh and Scott.

Mr. Huston offered for adoption the following resolution:

H. R. No. 24: *Resolved*, That Louis Kammerer receive the sum of ten dollars for four days' services in the hall as porter, at the commencement of this session.

The question being on the adoption of said resolution, the yeas and nays were taken, and resulted—yeas 95, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Armstrong of Guernsey, Baker of Fairfield, Baker of Perry, Barnett, Barrett, Baskin, Bay, Beatty, Bell, Blake, Boyce, Brooke, Brunner, Carnahan, Chapman of Cuyahoga, Cole, Coler, Cooley, Conklin, Conkright, Duncan, Eshelman, Faxon, Ford, Geghan, Gowey, Green, Haag, Hardy, Harrison, Hatfield, Haven, Heit-

mann, Herron, Hill, Hoagland, Hodge, Holloway, Holt, Howland, Huston, Inman, Johnson, Kemp, Lewis, Light, Loomis, Mack, Mann, Marx, Martin, McCloud, McCoy, McKinley, McLain, Mesloh, Miller, Moorehead, Morris, Munson, Murlin, Myers of Ashland, Myers of Fayette, Neff, Nelson, Newell, Newton, Oren, Parker, Pattison, Pearson, Poe, Ramsay, Ray, Richards, Robb, Sater, Scott, Sheppard, Sherrick, Stone, Thompson of Lucas, Thompson of Montgomery, Tryon, Van Meter, Varley, Vincent, Walker, Weible, West, White, Williams and Speaker—95.

So the resolution was adopted.

Mr. Norton offered the following resolution:

H. R. No. 26: *Resolved*, That the Sergeant-at-Arms be and is hereby instructed to prohibit talking, either aloud or in whispers, in the lobby during the reading of any paper by the Clerk, or the transaction of any business by the House which requires order to facilitate business.

Which was disagreed to.

Mr. McLain moved to take H. R. No. 20 from the table.

Which was disagreed to.

The following bills were introduced on leave, and read the first time:

H. B. No. 37—By Mr. Heitmann: To authorize the commissioners of Franklin county, Ohio, to levy a tax to pay for the improvements of the grounds of the agricultural society of said county and its debts due for lands purchased.

H. B. No. 38—By Mr. Brunner: To authorize the trustees of Crane township, Wyandot county, to appropriate funds accruing from the sale of certain railroad bonds in the treasury of said township for road purposes.

The Speaker announced as the select committee to consider the propriety of codifying the road laws, Messrs. Thompson of Lucas, West and Howland.

Mr. McCoy moved that two additional members be added to said committee.

Which was agreed to; and Messrs. Mesloh and Oren were appointed such additional members.

Mr. Chapman of Cuyahoga offered the following resolution:

H. R. No. 27: WHEREAS, Women as well as men hold property in their own right, and pay taxes for the support of common schools; and

WHEREAS, It is a fundamental principle of our government that taxation without representation is unjust; therefore

Resolved, That the committee on the Judiciary are hereby instructed to inquire into and report to this House upon the question of the legality or constitutionality of the right of women above the age of twenty-one years, who pay taxes, to vote upon all school matters pertaining to the assessment and application of school taxes; and also as to their being eligible to hold office in the school board.

Which, on motion, was referred to the committee on Judiciary.

Mr. Lewis offered the following resolution, which was adopted:

H. R. No. 28: *Resolved*, That the Clerk of this House is hereby authorized to furnish the chairmen of the several committees with paper cases and printed blanks, whereby he may serve notice upon the same, in order to facilitate the business of the several committees.

On motion of Mr. Eshelman, a message was sent to the Senate, informing that body that the members of the House are in readiness to unite with the members of the Senate in a joint assembly, to be held in the Hall of the House of Representatives, to read the journals of the two

houses, wherein the proceedings of said houses are entered, showing the result of the vote taken in said houses respectively, on yesterday, the same being the second Tuesday after the organization of the Legislature, for a Senator in Congress, for the constitutional term of six years, commencing on the fourth day of March, A.D. 1875, in accordance with the act of Congress in such case made and provided.

At 12 o'clock meridian, the members of the Senate, preceded by the President, Clerk and Sergeant-at-Arms thereof, having appeared within the bar of the House, and the roll of both houses having been called, and it appearing that of the members of the Senate there were 34 present, and of the members of the House there were 101 present, the absentees being Messrs. Baker of Coshocton, Barrett, Cole and Grosvenor,

Thereupon the President of the Senate announced the object of this joint assembly of the members of the two houses, and directed the Clerk of the Senate to read from the Journal of the Senate the entries thereon made touching the election of said Senator in Congress, which entries being read, and it appearing therefrom that the entire vote given in the Senate for said Senator in Congress was 36, of which number Allen G. Thurman had 22 votes and Edward F. Noyes had 14 votes, the said Allen G. Thurman having a majority of the whole number of votes cast, that result was so declared to said joint assembly by the President of the Senate; and thereupon the Speaker of the House directed the Clerk thereof to read from the Journal of the House the entries thereon made touching the election of said Senator in Congress, which entries being read, and it appearing therefrom that the entire vote given in the House for said Senator in Congress was 102, of which number Allen G. Thurman had 57, Edward F. Noyes had 44 votes and J. D. Cox 1 vote, Allen G. Thurman having received a majority of the entire vote cast, thereupon the President of the Senate addressed the members of the joint assembly as follows:

Senators and Representatives of the General Assembly: It appearing from the journals of the Senate and House of Representatives that on the second Tuesday next succeeding the organization of this General Assembly, at an election for Senator then held in the Senate and House of Representatives, the Hon. Allen G. Thurman received a majority of all the votes cast for such Senator in each house, therefore he is hereby declared duly elected Senator in the Congress of the United States of America from the State of Ohio, for the constitutional term of six years, beginning on the fourth day of March, A.D. 1875.

On motion of Mr. Thompson, the joint convention adjourned.

On motion of Mr. Norton, the House took a recess.

HALF-PAST TWO O'CLOCK P.M.

Mr. Neff offered the following resolution, which was adopted:

H. R. No. 29: WHEREAS, Experience has shown that under the present system of laws regulating the collecting, keeping and disbursing of the moneys arising from taxation, numerous frauds, embezzlements and defalcations occur, as well as financial embarrassments, from the locking up for a considerable length of time of large amounts of currency; therefore

Resolved, That a committee of five be appointed to investigate the subject, and report as soon as practicable, by bill or otherwise, such measures as in their opinion will remedy the evils complained of.

Mr. Sheppard offered for adoption the following resolution:

H. J. R. No. 9: *Resolved by the General Assembly of the State of Ohio*,

That whereas the interest of the wool-growers and all other citizens of the State of Ohio, on account of the great destruction of sheep by dogs, demands such legislation as will further protect said interest; and whereas the homestead law of our State is such that forced collections cannot be made in many cases on judgments obtained for damages done by sheep-killing dogs; and whereas section 2 of article 12 of the Constitution of the State of Ohio provides that all personal property shall be taxed according to its true value in money (with some exceptions), we therefore hereby suggest to the Constitutional Convention now in session at Cincinnati, that they alter said section of the Constitution so that dogs may be appraised for taxation at a certain price per head, so that a constitutional law can be made to the effect that the taxes derived from taxation on dogs in the State will be equal to the destructiou done by them, thereby creating a fund, to be regulated by law, so that all persons being damaged by dogs killing or injuring their sheep will be secured as to said damages.

The question being on the adoption of said resolution, the yeas and nays were demanded, taken, and resulted—yeas 63, nays 32, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Belmont, Baker of Fairfield, Baker of Perry, Barnett, Barrett, Beatty, Bell, Blake, Brooke, Brunner, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Cole, Coler, Cooley, Conkright, Duncan, Faxon, Geghan, Gowey, Green, Harrison, Hatfield, Haven, Herron, Hill, Hodge, Holt, Howland, Johnson, Lewis, Loomis, Mack, Marx, McCoy, McLain, Mesloh, Moorehead, Morris, Myers of Fayette, Neff, Nelson, Newton, Oren, Pattison, Pearson, Poe, Ramsay, Ray, Richards, Richmond, Robb, Sater, Sheppard, Thompson of Lucas, Van Meter, Varley, Vincent, Watson, Weible, White and Williams—63.

Those who voted in the negative were—

Messrs. Archer, Armstrong of Guernsey, Baskin, Bay, Beach, Boyce, Conklin, Eidson, Eshelman, Ford, Haag, Hardy, Heitmann, Hoagland, Holloway, Huston, Inman, Kemp, McCloud, McKinley, Miller, Murlin, Myers of Ashland, Newell, Norton, Parker, Scott, Stone, Thompson of Montgomery, Walker, West and Speaker—32.

So the resolution was adopted.

Messrs. Neff, Green, Baskin, Williams and Cole were appointed such committee on the part of the House.

Mr. Kemp offered the following resolution, which was adopted:

H. R. No. 30: *Resolved*, That the Sergeant-at-Arms be required to furnish the chairmen of the several standing committees a suitable blank-book for the use of the several clerks of said committees.

Mr. Ford moved that the House do now adjourn.

Which was disagreed to.

Mr. Case offered for adoption the following resolution:

H. R. No. 31: *Resolved*, That the Speaker be and he is hereby authorized to appoint three additional messenger boys for the House.

Mr. Thompson of Lucas moved to amend the resolution by striking out "three," and inserting "two."

Which was disagreed to.

Mr. Baker of Perry moved to amend the resolution by inserting "one" instead of "three."

Which was disagreed to.

The question then being on the adoption of the resolution, the yeas and nays were demanded, taken, and resulted—yeas 46, nays 54, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Baker of Fairfield, Baker of Perry, Barnett, Bell, Case, Chapman of Meigs, Coler, Eshelman, Gowey, Gordon, Green, Hardy, Hatfield, Heitmann, Hill, Howland, Huston, Kemp, Light, McCloud, McCoy, McKinley, Mesloh, Miller, Munson, Myers of Ashland, Neff, Nelson, Newell, Norton, Oren, Pattison, Pearson, Scott, Sheppard, Sherrick, Thompson of Lucas, Tryon, Van Meter, Walker, Weible, West, White and Williams—46.

Those who voted in the negative were—

Messrs. Armstrong of Guernsey, Barnett, Baskin, Bay, Beach, Beatty, Blake, Boyce, Brooke, Brunner, Carnahan, Chapman of Cuyahoga, Cole, Cooley, Conklin, Conkright, Duncan, Faxon, Geghan, Green, Harrison, Hatfield, Haven, Hoagland, Hodge, Holloway, Holt, Inman, Johnson, Lewis, Loomis, Mann, Marx, Martin, McLain, Moorehead, Morris, Murlin, Myers of Fayette, Newton, Parker, Poe, Ramsay, Ray, Richards, Richmond, Robb, Sater, Stone, Thompson of Montgomery, Varley, Vincent and Watson—54.

So the resolution was disagreed to.

Mr. Weible offered the following resolution:

H. R. No. 31: *Resolved*, That a committee of five be appointed to codify the laws relating to ditches, drains and watercourses.

Mr. Oren moved that the resolution be so amended that the committee take into consideration the propriety of codifying.

Which was agreed to.

The resolution was then adopted.

Mr. Oren offered for adoption the following resolution:

H. R. No. 32: WHEREAS, The great financial crisis through which we are just passing; the low prices farmers have been compelled to accept for most of their farm products; the general prostration of almost all kinds of business; the exceedingly high rates of local taxation, being four-fifths of the entire amount of taxes paid, demand the most rigid economy in the administration of our State, county, and township affairs; therefore

Resolved, That, in the opinion of this House, no law of a local character should be passed authorizing an increase of levy, or the issuing of bonds, except for the purpose of paying existing indebtedness, without first submitting such proposition to a vote of the people interested therein.

Resolved, That with a view to lessening the burdens of the tax-payers, the expenses of all the different institutions and departments of the State should be reduced to the lowest possible estimate consistent with justice and the public welfare.

Mr. Scott moved to amend said resolution by inserting the word "municipal" after the word "county."

Which was agreed to.

Mr. Baker of Fairfield moved to refer the resolution to the committee on Finance.

Which was agreed to.

Mr. Eidson, on leave, presented the petition of J. McKinstry, Hon. H. Shidler, Judge I. W. King, and thirty-eight other citizens of Preble county, asking the Legislature to create a commission to examine the books and papers of the various county officers of Preble county from January 1, 1864, to the present date.

Which was referred to the committee on New Counties and County Affairs.

Mr. Bell, on leave, presented the petition of J. L. Manger and forty-five other citizens of Etna township, Licking county, asking that the State be required to improve the culverts along the National road between the villages of Etna and Wagram, in said county (perhaps three in number).

Which was referred to the committee on Public Works.

Mr. Haag, on leave, presented the petition of C. C. Young and twenty-eight other citizens of Liberty township, Henry county, praying for the passage of a law establishing a special voting precinct in said township.

Which was referred to the committee on New Counties and County Affairs.

Mr. McCoy, on leave, presented the petition of B. F. Wait and one hundred and sixty-three other citizens of Ross county, for a law to authorize commissioners to appropriate funds.

Which was referred to the committee on Roads and Highways.

Messrs. Weible, Inman, Cole, Stone, and Myers of Fayette were appointed as the select committee to take into consideration the propriety of codifying the ditch laws.

On motion of Mr. Robb, the House adjourned.

Attest: THOMAS COUGHLIN, *Clerk.*

THURSDAY, JANUARY 15, 1874—10 o'clock A.M.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Keen.

The Journal was read and approved.

Mr. Inman presented the petition of Z. S. Vail and one hundred and sixty other citizens of York township, Sandusky county, asking for the relief of J. G. Brugger, township treasurer.

Which was referred to the committee on Finance.

Mr. Johnson presented the petition of Josiah Merrell and twenty-one other citizens of Scioto county, in the sub-district in Porter township, in said Scioto county, praying that Wheelersburg may be made a separate school district.

Which was referred to the committee on Common Schools and School Lands.

Mr. Kemp presented the memorial of D. Banker, E. L. Kercher and E. Bundy, citizens of Warren and Montgomery counties, asking relief for damages done their lands by the overflow and washing away of a part of the embankment connected with the State dam at Middletown, Butler county.

Which was referred to the committee on Public Works.

Mr. Faxon presented the petition of F. V. Sheldon, Rufus Knowles, and sixty-two other citizens of Lagrange township, Lorain county, praying for an act authorizing the trustees of said township to levy a tax to buy a hearse, etc., for the use of said township.

Which was referred to the committee on Corporations other than Municipal.

The following bills were read the second time:

H. B. No. 21: Regulating the sale of poisons.

Referred to the committee on Medical Colleges and Societies.

H. B. No. 22: To amend section 24 of an act relating to roads and highways, passed March 9, 1868.

Referred to the committee on Roads and Highways.

Mr. Baker of Fairfield moved that the second reading of bills be postponed.

Which was agreed to.

The following bills were introduced, and read the first time:

H. B. No. 39—By Mr. Oren: To amend section 104 of an act entitled an act to establish a code of criminal procedure for the State of Ohio, passed May 6, 1869, as amended January 5, 1871.

H. B. No. 40—By Mr. Haag: To amend section 7 of an act entitled an act to provide for the election of prosecuting attorneys, and prescribing their duties, passed April 30, 1852, and to repeal the section hereby amended.

H. B. No. 41—By Mr. Parker: To amend section 59 of an act entitled an act to provide for the organization and government of municipal corporations, passed May 7, 1869.

H. B. No. 42—By Mr. Inman: For the relief of J. G. Brugger.

H. B. No. 43—By Mr. Murlin: To amend section 485 of the municipal code. (O. L., Vol. 66, p. 231.)

H. B. No. 44—By Mr. Hodge: Supplementary to an act passed April 29, 1873, entitled an act to create a fire commissioner in cities having a population exceeding ninety thousand inhabitants.

H. B. No. 45—By Mr. Kemp: For the repeal of an act passed May 3, 1873, to authorize the appointment of commissioners of fisheries for the State of Ohio, and defining their duties.

H. B. No. 46—By Mr. Gowey: To amend section 1 of an act entitled an act to provide for the uniform government and better regulation of the lunatic asylums of the State, and the care of idiots and the insane, passed April 7, 1856.

H. B. No. 47—By Mr. Blake: To amend section 92 of an act entitled an act of the jurisdiction and procedure before justices of the peace and constables in civil courts, passed March 14, 1853.

H. B. No. 48—By Mr. Armstrong of Guernsey: To amend section 37 of an act entitled an act for opening and regulating roads and highways, passed January 27, 1853.

H. B. No. 49—By Mr. Hardy: To extend the provisions of an act of the General Assembly of the State of Ohio passed on the 2d day of April, 1873, entitled an act to authorize the commissioners of Trumbull county to remove drift and timber from the rivers in said county, so that the same shall be and have full force and effect in the county of Paulding.

Mr. Brunner submitted the following report:

The committee on Public Printing, to whom was referred H. R. No. 17, in reference to procuring a diagram of the House of Representatives, ask leave to report that they have considered the duty assigned them, and find that the expense attending the execution of the work, as contemplated in the resolution, will cost sixty dollars.

Your committee, believing that the furnishing of said diagrams would in no wise promote legislation, and thinking that the exigency of the times demand the strictest economy in all branches of the government, would report against the object contemplated in H. R. No. 17.

L. A. Brunner, J. B. Ray,
J. W. Nelson, I. M. Barrett,
E. B. Eshelman, E. S. Holloway.

Mr. Haag moved that the resolution be indefinitely postponed.

Which was agreed to.

Mr. Eshelman submitted the following report:

The select committee of three to whom was referred a motion to make immediate inquiry and report to the House why all the reports of the officers of the Executive department were not transmitted to the General Assembly with the Governor's message, as required by section 20, article 3, of the Constitution, having had the same under consideration, report it back, with the following information:

The committee first called at the office of the Governor, where they were referred to the Commissioner of State Printing. The Commissioner of State Printing informed the committee that he has already delivered to the Sergeant-at-Arms of the House, for which he holds his receipt, the reports of the Adjutant-General, the Central Ohio Lunatic Asylum, the Comptroller, the Reform School for Boys, the Board of Public Works; that the report of the Auditor of State will be ready by Friday; that the report of the State Librarian will be ready by about Monday; that the report of the Reform School for Girls, the report of the Asylum for the Blind, the report of the Deaf and Dumb Asylum, are in the hands of the State Printers and will be done next week; that the report of the Southern Ohio Lunatic Asylum will be ready early next week; that the report of the Northern Ohio Lunatic Asylum, the report of the Ohio Penitentiary, the report of the Asylum for Imbecile Youth, the report of the Commissioner of Railroads and Telegraphs, the report of the Sinking Fund, and the report of the Attorney-General, are in the hands of the Superintendent of State Printing, waiting their turn in the order named; that the report of the Superintendent of State Printing is in type and will be ready this week; that the printing on the report of the Secretary of State has been begun, but that it will take from four to five weeks to complete it; that, excepting the reports of the Adjutant-General and the Central Ohio Lunatic Asylum, the reports were not received this year as early as usual. The reports were received by the Superintendent of State Printing as follows:

Adjutant-General's report, November 19, 1873; Central Lunatic Asylum, November 19, 1873; Comptroller, December 5, 1873; Reform School for Boys, December 6, 1873; Board of Public Works, December 9, 1873; Treasurer of State, December 8, 1873; Auditor of State, December 12, 1873; Southern Ohio Lunatic Asylum, December 13, 1873; Library, December 15, 1873; Reform School for Girls, December 17, 1873; Blind Asylum, December 19, 1873; Deaf and Dumb Asylum, December 20, 1873; Northern Ohio Lunatic Asylum, December 22, 1873; Penitentiary, December 23, 1873; Supervisor of Printing, December 24, 1873; Idiotic Asylum, December 30, 1873; Governor's Message, December 30, 1873; Secretary of State, January 7, 1874; Commissioner of Railroads and Telgraphs, January 7, 1874; Sinking Fund, January 10, 1874; Attorney-General, January 13, 1874.

The Constitution of Ohio, article 3, section 20, requires that "the officers of the Executive department and of the public State institutions shall, at least five days preceding each regular session of the General Assembly, severally report to the Governor, who shall transmit such reports, with his message, to the General Assembly."

By a law enacted March 7, 1842 (see S. & C., p. 115, sec. 37), "the fiscal year, in all the departments of the State," closes "on the 15th day of November, annually; and all annual reports from such departments *shall* be made with reference to that date."

A law was passed April 16, and took effect May 1, 1857 (see S. & C.,

p. 1596, sec. 1), which provides "that *it shall be the duty* of the Auditor of State, the Treasurer of State, the Secretary of State, the Attorney-General, the Commissioner of the Sinking Fund, the State Librarian, the Directors of the Ohio Penitentiary, the Trustees of the several benevolent institutions, and the Board of Public Works, to keep, or cause to be kept, in their respective offices accurate and distinct accounts of the several transactions in their respective departments, *and report an abstract thereof to the Governor at the close of each fiscal year.*"

The Commissioner of State Printing informed your committee that the State Printers were ready to begin work on the reports on the 15th of November last; that only two small reports (the report of the Attorney-General and the report of the Ohio Central Lunatic Asylum) were ready, which were promptly printed; and that the State Printers were compelled to discharge some of their hands, as no additional reports were received until the 5th of December; and that they have been printing the reports with reasonable rapidity.

The following letter to Mr. Scott from H. S. Babbitt, Chief Clerk of the Auditor of State, is given to explain the delay in the publication of the report of the Auditor of State:

AUDITOR OF STATE'S OFFICE,
COLUMBUS, *January* 14, 1874.

DEAR DOCTOR: The report of the State Commissioner of Common Schools of the enumeration of school youth in the several counties, and upon which the *distribution* shown in tables VIII. and X. of the Auditor of State's report, and upon which the *distribution* of the school levy is based, was not received at this office until the 18th ult. This table or report is not essential to an exhibit of the cash transactions of the past year, nor *indispensable* to approximate estimates for the current year; but is *absolutely* indispensable to table X., which shows the amount of interest on the several items of trust funds constituting the irreducible debt up to January 1, 1874, and payable to the several counties. The School Commissioner stated the reason of the delay in making the report to be that Fairfield, Hamilton and Holmes counties had failed to make proper returns in time for an earlier report.

Yours truly,
H. S. BABBITT, *Chief Clerk.*

DR. JAMES SCOTT, *House of Representatives.*

It is undoubtedly the intention of the law enacted April 16, and took effect May 1, 1857, that the reports of the officers of the Executive department should be submitted to the Governor at the close of the fiscal year, on the 15th of November, annually, so that they may be printed and transmitted to the General Assembly when the Governor transmits his annual message thereto; and your committee would respectfully recommend to the officers of the Executive department that in future they comply with the law aforesaid as nearly as it is possible to do so.

All of which is respectfully submitted.

E. B. ESHELMAN,
J. H. MESLOH,
J. SCOTT.

The report was accepted, and the committee discharged.

Mr. Haag offered for adoption the following resolution:

H. J. R. No. 9: *Resolved by the General Assembly of the State of Ohio*, That the Secretary of State be and hereby is authorized and directed to purchase for the use of the General Assembly fifty copies of Swan and Critchfield's Statutes.

On motion, said resolution was referred to the committee on Finance.

Mr. Kemp offered the following resolution, which was adopted:

Resolved, That the committee of five appointed to codify the existing ditch laws of the State be authorized to amend the same, and introduce a bill to that effect.

Mr. White offered the following resolution:

H. R. No. 34: *Resolved*, That that the Speaker be authorized to appoint Willie Toll as an additional page of this House.

Mr. Hodge moved to amend said resolution by inserting "if deemed expedient by the Speaker."

Which was agreed to.

The question being on the adoption of the resolution, the yeas and nays were ordered, and resulted—yeas 66, nays 25, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Armstrong of Guernsey, Baker of Fairfield, Barrett, Baskin, Beach, Beatty, Boyce, Brooke, Brunner, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Cole, Coler, Conkright, Duncan, Eidson, Eshelman, Faxon, Geghan, Green, Hardy, Hatfield, Heitmann, Herron, Hodge, Holloway, Huston, Inman, Johnson, Kemp, Loomis, Mack, Martin, McCloud, McKinley, McLain, Mesloh, Miller, Moorehead, Munson, Nelson, Newell, Newton, Norton, Oren, Parker, Pattison, Pearson, Ray, Richards, Richmond, Robb, Sater, Scott, Sheppard, Sherrick, Stone, Thompson of Lucas, Tryon, Van Meter, Vincent, Weible and White—66.

Those who voted in the negative were—

Messrs. Baker of Perry, Barnett, Bay, Bell, Blake, Case, Conklin, Harrison, Haven, Hill, Hoagland, Holt, Howland, Lewis, Mann, Morris, Murlin, Myers of Fayette, Neff, Ramsay, Thompson of Montgomery, Varley, Watson, West and Williams—25.

So the resolution was adopted.

The Speaker then announced the appointment of Willie Toll as such additional page, as requested by the House.

Mr. Richards offered the following resolution, which was adopted:

H. R. No. 35: *Resolved*, That a committee of three be appointed to inquire into the propriety of codifying the election laws.

Mr. Scott offered for adoption the following joint resolution:

H. J. R. No. 10: *Resolved by the General Assembly of the State of Ohio*, That there be printed and bound in muslin fourteen thousand additional copies of the Secretary of State's report for the year 1873, for the use of and to be equally distributed among the members of the General Assembly. To determine what number of such copies shall be printed in the German language, it shall be the duty of the Secretary of State to ascertain from each member of the Senate and House what number of the reports he is entitled to receive he wishes printed in the German language. The aggregate number so determined shall be the number authorized to be printed in German.

On motion of Mr. Norton, said resolution was referred to the committee on Public Printing.

Mr. Sater offered the following resolution:

H. R. No. 36: *Resolved*, That when the House adjourn on Friday next, that it be to meet on Tuesday, the 20th, at 10 o'clock A.M.; and that the House adjourn every three weeks thereafter from Friday to Tuesday.

Mr. Blake moved to amend by inserting Friday a week, instead of next Friday.

Which was disagreed to.

Mr. Eshelman moved to amend said resolution by striking out all of that portion that refers to an adjournment every three weeks.

On which motion the yeas and nays were demanded, ordered, and resulted—yeas 56, nays 39, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Baker of Fairfield, Baker of Perry, Barnett, Barrett, Baskin, Beach, Bell, Boyce, Brooke, Brunner, Chapman of Meigs, Cole, Coler, Conklin, Eidson, Eshelman, Gowey, Green, Hardy, Haven, Heitmann, Herron, Hoagland, Hodge, Inman, Loomis, Marx, Martin, McCloud, McKinley, McLain, Mesloh, Miller, Moorehead, Morris, Murlin, Myers of Fayette, Newell, Norton, Parker, Pattison, Pearson, Robb, Scott, Sheppard, Sherrick, Stone, Thompson of Montgomery, Tryon, Varley, Vincent, Watson, West, Williams and Speaker—56.

Those who voted in the negative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Bay, Beatty, Blake, Case, Carnahan, Chapman of Cuyahoga, Conkright, Duncan, Faxon, Ford, Geghan, Haag, Hatfield, Hill, Holloway, Holt, Howland, Huston, Johnson, Kemp, Lewis, Mack, Mann, Munson, Neff, Nelson, Newton, Oren, Ramsay, Ray, Richards, Richmond, Sater, Thompson of Lucas, Van Meter, Weible and White—39.

So the amendment was agreed to.

Mr. Loomis moved to amend the resolution as follows: "and that during the days that this House may not be in session, by reason of any adjournment, no per diem shall be paid any member thereof."

Mr. Baker of Perry moved that the resolution, with pending amendments, be laid on the table.

On which motion the yeas and nays were demanded, ordered, and resulted—yeas 51, nays 47, as follows:

Those who voted in the affirmative were—

Messrs. Baker of Fairfield, Baker of Perry, Barnett, Barrett, Baskin, Beach, Bell, Brunner, Case, Carnahan, Chapman of Meigs, Coler, Conklin, Conkright, Eidson, Eshelman, Geghan, Green, Hardy, Harrison, Hatfield, Heitman, Hoagland, Howland, Lewis, Mack, Marx, McCloud, McKinley, Mesloh, Moorehead, Morris, Murlin, Parker, Pattison, Poe, Richmond, Robb, Scott, Sheppard, Sherrick, Stone, Thompson of Montgomery, Tryon, Van Meter, Varley, Vincent, Walker, Watson, Williams and Speaker—51.

Those who voted in the negative were—

Messrs. Archer, Armstrong of Belmont, Armstrong of Guernsey, Bay, Beatty, Blake, Boyce, Brooke, Chapman of Cuyahoga, Cole, Cooley, Duncan, Faxon, Ford, Gowey, Gordon, Haven, Hill, Hodge, Holloway, Holt, Huston, Inman, Johnson, Kemp, Loomis, Mann, Martin, McLain, Miller, Munson, Myers of Fayette, Neff, Nelson, Newell, Newton, Norton, Oren, Pearson, Ramsay, Ray, Richards, Sater, Thompson of Lucas, Weible, West and White—47.

So the resolution and pending amendments were laid on the table.

The Speaker announced Messrs. Richards, West and Beach as the select committee to codify the election laws.

Mr. Brunner offered the following resolution, which was adopted:

H. R. No. 37: *Resolved*, That the Sergeant-at-Arms report to the House, during the afternoon session of to-day, the cost of printing labels for the use of the members, and such other printing that he has provided by direction of the House of Representatives.

On motion of Mr. Murlin, the House took a recess.

HALF-PAST TWO O'CLOCK P.M.

Mr. Scott moved that H. J. R. No. 3 be taken from the table.

Which was agreed to.

The resolution was then referred to the committee on the Judiciary.

Mr. Loomis offered for adoption the following resolution:

H. R. No. 38: *Resolved*, That in order to facilitate legislation by the continued presence of members of the House during its daily sessions, it is deemed expedient to adjourn on Friday, the 16th inst., until Tuesday, the 20th inst., at 10 o'clock A.M.; and every third Friday thereafter an adjournment may be effected from Friday until Tuesday, at 10 o'clock A.M. Furthermore, that it is the sense of this House that leaves of absence ought not to be asked by any member thereof between the above specified times, except upon the most urgent necessity, and that such leaves be requested in writing, with statement of reasons for so asking.

Mr. White gave notice of a desire to discuss said resolution; so, under the rule, it was laid on the table.

Mr. Loomis moved to suspend the rule, in order that said resolution may be discussed now.

On which motion the yeas and nays were demanded, ordered, and resulted—yeas 48, nays 49, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Barnett, Barrett, Bay, Beach, Beatty, Blake, Brunner, Case, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Cole, Cooley, Duncan, Ford, Gowey, Harrison, Haven, Herron, Hodge, Holloway, Holt, Huston, Johnson, Loomis, Mack, Mann, Marx, McCloud, McLain, Miller, Munson, Myers of Fayette, Neff, Nelson, Newell, Newton, Norton, Ramsay, Ray, Richards, Sater, Scott, Thompson of Lucas, Thompson of Montgomery, Varley and Vincent—48.

Those who voted in the negative were—

Messrs. Baker of Fairfield, Baker of Perry, Baskin, Bell, Boyce, Brooke, Coler, Conklin, Conkright, Eidson, Eshelman, Faxon, Geghan, Gordon, Green, Haag, Hardy, Hatfield, Heitmann, Hill, Hoagland, Howland, Inman, Kemp, Lewis, Light, Martin, McKinley, Mesloh, Moorehead, Morris, Murlin, Oren, Parker, Pattison, Pearson, Poe, Richmond, Robb, Sheppard, Sherrick, Stone, Tryon, Van Meter, Walker, Watson, Weible, West, White and Williams—49.

So the motion was disagreed to.

Mr. Hodge moved that when the House adjourn on Friday next it be until Tuesday of next week.

On which motion the yeas and nays were demanded, ordered, and resulted—yeas 46, nays 50, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Armstrong of Guernsey, Bay, Beach, Beatty, Blake, Boyce, Case, Carnahan, Chapman of Cuyahoga,

Chapman of Meigs, Cole, Cooley, Conkright, Duncan, Faxon, Ford, Geghan, Gordon, Haag, Harrison, Haven, Hill, Hodge, Holloway, Holt, Huston, Inman, Johnson, Kemp, Loomis, Martin, McKinley, Munson, Myers of Fayette, Neff, Nelson, Newell, Newton, Pearson, Ramsay, Ray, Richards, Sater, and Thompson of Lucas—46.

Those who voted in the negative were—

Messrs. Baker of Fairfield, Baker of Perry, Baskin, Bell, Brooke, Brunner, Coler, Conklin, Eidson, Eshelman, Gowey, Green, Hardy, Hatfield, Heitmann, Hoagland, Howland, Lewis, Light, Mack, Mann, McCloud, McCoy, McLain, Mesloh, Miller, Moorehead, Morris, Murlin, Oren, Parker, Pattison, Poe, Richmond, Robb, Scott, Sheppard, Sherrick, Stone, Thompson of Montgomery, Tryon, Van Meter, Varley, Vincent, Walker, Watson, Weible, West, Williams and Speaker—50.

So the motion was disagreed to.

Mr. Case submitted the following report:

The committee on Common Schools and School Lands, to whom was referred the petition of the board of education of Versailles special school district, in the county of Darke, having had the same under consideration, report by bill.

O. Case,	H. G. Tryon,
Johnson Sherrick,	A. W. Munson,
G. W. Light,	L. A. Moorehead.

The following is the bill:

H. B. No. 50—By Mr. Case, from the committee on Common Schools and School Lands: To authorize the board of education of Versailles special school district, in Darke county, to issue bonds and borrow money.

Mr. McCoy submitted the following report:

The joint select committee appointed to prepare joint rules for the govment of both branches of the General Assembly, submit the following report:

1. Whenever the two branches of the General Assembly shall convene for any purpose required by the Constitution and laws of the State, such convention shall be held in the Hall of the House of Representatives, unless otherwise ordered by a joint resolution of the two branches. During all such conventions, each branch shall he held to be in session as a separate branch of the General Assembly, and be governed by its own rules, and, except in voting at elections where each member is entitled to a separate vote, shall act as such, and no question shall be considered as carried otherwise than by the concurrent action of both branches; provided, that either branch may, by a vote of a majority of all its members, dissolve such convention by withdrawing therefrom; and such convention may, by the concurrent vote of the two branches, take a recess, or adjourn to a time certain; but such a recess or adjournment of the convention shall not be held to be an adjournment or recess of either branch, nor to prevent either from proceeding with its usual business during such recess or adjournment of the convention.

2. In all elections in joint session a majority of all the votes cast shall be necessary to a choice.

3. All messages shall be conveyed by the Sergeant-at-Arms of the House from which they are sent; and in case of the absence or inability of the Sergeant-at-Arms, then by such person as the President or Speaker (as the case my be) may designate for that purpose.

4. When a message shall be sent by either House to the other, it shall be immediately announced at the bar of the House to which it is sent by

the Sergant-at-Arms, and shall be by the bearer delivered to the Clerk of the other branch at his desk, who shall read the same to the House to which it belongs, in accordance with the rules or orders of the House in which it is to be read.

5. After a bill or joint resolution has passed one House, and is amended and returned by the other House, it shall not be in order for either House to postpone such bill or joint resolution beyond the session; but all differences between the two Houses relative to amendments may be submitted to committees of conference.

6. In all cases of difference between the two Houses relative to amendments, the order shall be to insist, in the first instance, before adhering; and the first adherence by either House shall preclude a committee of conference.

7. Committees of conference shall be appointed whenever any disagreement of opinion shall exist between the two Houses, which committees shall report the result of their deliberations to their respective Houses.

8. Whenever the committee of conference of the two Houses shall disagree, other committees may be appointed; and if either of the two Houses shall disagree to any report of a committee of conference, such House shall forthwith notify the other of such disagreement, and request another committee of conference; and thereupon other committees shall be appointed.

9. When a bill or joint resolution shall have passed either House, notice thereof shall be forthwith given to the other House.

10. When a bill shall be introduced into either House, advice thereof shall be given to the other House; but no notice of the presentation or reference of petitions, memorials or remonstrances, or of the appointment of committees, except joint committees, shall be given.

11. When a bill or joint resolution which shall have been passed in one House is rejected in the other, or postponed beyond the session thereof, notice shall be given to the other House.

12. When any bill shall have passed one House, and shall be amended in the other, the amendments shall be engrossed upon a separate piece of paper, and returned, with the engrossed bill received from the other House, to the House in which it originated; and whenever a bill shall be passed in one House and sent to the other, and a substitute therefor is agreed to by such House, in the communications between the two Houses such substitute shall be designated and treated as an amendment to the original bill, and the message relating thereto shall definitely show, as in case of other amendments, how the original bill is amended; and no bill originating in one House shall be engrossed in the other.

13. When any amendment to a bill shall be ordered to be printed, it shall be with the original bill, and the amendment, if it consists in inserting new matter, shall be printed in italics, so as to designate such new matter; and if it consists in striking out part of the original bill, it shall be designated by brackets, so as to show what part or parts of such original bill have been stricken out.

14. After a bill shall have passed both Houses, it shall be enrolled by the Clerk of the House in which it originated.

15. When a bill or joint resolution is enrolled, it shall be examined by a joint committee of four members from each House, to be appointed a standing committee for that purpose, whose duty it shall be to compare the enrolled with the engrossed bill or joint resolution passed by the two Houses, and correct any clerical errors which may be discovered, and

report forthwith to their respective Houses, the report to be signed by a majority of the joint committee.

16. No bill shall be subject to amendment, commitment, or other action of either house, after the enrolling committee of such House shall have reported the same correctly enrolled.

17. Each bill and joint resolution shall be first signed by the Speaker of the House of Representatives, and then by the President of the Senate, who shall fix the date thereto, and be by the Clerk delivered to a member of the committee of Enrollment on the part of the Senate, who shall deposit the same in the office of the Secretary of State, and take his receipt therefor, which receipt shall be filed with the papers of the Senate.

18. When a bill or joint resolution shall have passed in either branch and be sent to the other for concurrence, the accompanying documents shall be transmitted with such bill or joint resolution; and when so transmitted shall take precedence on the calendar of all bills or joint resolutions originating and not yet passed in the branch to which transmitted.

19. The chairman of each committee of the Senate and House of Representatives shall, at some time before the final consideration of any bill referred to his committee, give verbal or written notice to the author of the bill, fixing a time when he may be heard by the committee.

20. The Clerks of the Senate and the House of Representatives shall cause a calendar for each branch of the General Assembly to be printed, and placed upon the desk of each Senator and Representative before the opening of each daily session, showing for the day the bills for second reading, the bills for third reading, the special orders of the day, and the bills in committee of the Whole.

21. When an amendment is made in one House to a bill or joint resolution which originated in the other, it shall require the same number of votes to concur in the amendment in the House in which the bill or resolution originated as was required to pass the bill or resolution.

22. All committees of conference shall consist of three on the part of the Senate, and three on the part of the House, unless otherwise specially ordered by both Houses.

23. On the adoption of all joint resolutions, the yeas and nays shall be called in each House.

GEO. W. ANDREWS,
JAS. W. NEWMAN,
L. C. JONES,
Senate Committee.
MILT. MCCOY,
WM. BELL, Jr.,
O. CASE,
J. SCOTT,
House Committee.

The question being on the adoption of the report of the committee, the yeas and nays were ordered, and resulted—yeas 85, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Armstrong of Guernsey, Baker of Fairfield, Baker of Perry, Barnett, Barrett, Baskin, Bay, Beach, Beatty, Bell, Blake, Boyce, Brooke, Brunner, Case, Cole, Coler, Cooley, Conklin, Conkright, Duncan, Eidson, Eshelman, Faxon, Geghan, Gowey, Gordon, Green, Haag, Hardy, Hatfield, Haven, Heitmann, Herron, Hill, Hoagland, Holt, Howland, Huston, Inman, Johnson, Lewis, Light, Loomis, Mack, Marx, Martin, McCoy, McKinley, McLain, Mesloh, Moorehead, Morris,

Munson, Murlin, Myers of Fayette, Nelson, Newell, Newton, Norton, Oren, Parker, Pattison, Poe, Ray, Richmond, Sater, Sheppard, Sherrick Thompson of Lucas, Thompson of Montgomery, Tryon, Varley, Vincent, Walker, Watson, Weible, West, White, Williams and Speaker—85.

So the report of the committee was agreed to.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The following bills have been introduced in the Senate and read the first time:

S. B. No. 2—By Mr. Corwin: To enable associations of persons formed for the purpose of raising funds to be loaned to manufacturers and persons engaged in other industrial pursuits to become bodies corporate.

S. B. No. 3—By Mr. Hudson: To aid the Board of Public Works to build a bridge on the Western Reserve and Maumee road over the Sandusky river.

Attest: S. K. DONAVIN, *Clerk.*

MESSAGE FROM THE SENATE.

Mr. Speaker:

The following bills have been introduced in the Senate and read the first time:

S. B. No. 4—By Mr. Jones: To amend section 13 of the act of May 1, 1852, entitled an act to provide for the creation and regulation of incorporated companies in the State of Ohio, as amended April 25, 1873.

S. B. No. 5—By Mr. Corwin: For the relief of delinquent tax-payers.

S. B. No. 7—By Mr. Curtiss: To authorize the trustees of Bedford township, Cuyahoga county, to levy a special tax and issue bonds for the purpose therein named.

S. B. No. 8—By Mr. Wallace: To amend section 543 of the act to provide for the organization and government of municipal corporations, passed May 2, 1869, and as amended May 2, 1871.

Attest: S. K. DONAVIN, *Clerk.*

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has indefinitely postponed H. J. R. No. 6, requiring notice from committees to authors of bills.

Attest: S. K. DONAVIN, *Clerk.*

Mr. Sherrick submitted the following report:

The committee on Common Schools and School Lands, to whom was referred the petition of James Mays and others, asking an extension of the law therein recited, having had the same under consideration, report by bill.

JOHNSON SHERRICK, A. W. MUNSON,
G. W. LIGHT, J. A. MOOREHEAD,
H. G. TRYON, O. CASE.

The following is the bill:

H. B. No. 51—By Mr. Sherrick, from the committee on Common Schools and School Lands: To authorize the board of education of Perry township, Lawrence county, to levy a tax to pay the indebtedness of said township incurred in the erection of school-houses.

Leave of absence was asked and obtained as follows:

For Messrs. Chapman of Cuyahoga, Myers of Ashland, Haven, Holt and Cooley, until Monday next; for Messrs. Thompson of Lucas, Nelson,

Sater and Ramsay, until Tuesday of next week; and for Messrs. Baskin and McKinley, indefinite leave was obtained on account of sickness.

Mr. Mann moved to reconsider the vote taken on Mr. Hodge's motion to adjourn from Friday next until Tuesday of next week at 2½ o'clock P.M.

On which motion the yeas and nays were demanded, ordered, and resulted —yeas 52, nays 44, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Guernsey, Barrett, Bay, Beach, Beatty, Blake, Boyce, Carnahan, Chapman of Cuyahoga, Cole, Cooley, Conkright, Duncan, Faxon, Geghan, Gordon, Haag, Hardy, Hatfield, Haven, Herron, Hill, Hodge, Holloway, Holt, Huston, Inman, Johnson, Kemp, Loomis, Mann, Marx, McLain, Morris, Munson, Myers of Fayette, Neff, Nelson, Newell, Newton, Norton, Oren, Pearson, Ramsay, Ray, Richards, Sater, Scott, Thompson of Lucas, Tryon and West—52.

Those who voted in the negative were—

Messrs. Armstrong of Belmont, Baker of Fairfield, Baker of Perry, Brooke, Brunner, Case, Chapman of Meigs, Coler, Conklin, Eidson, Eshelman, Gowey, Green, Heitmann, Hoagland, Howland, Lewis, Light, Mack, Martin, McCloud, McCoy, McKinley, Mesloh, Miller, Moorehead, Murlin, Parker, Pattison, Poe, Robb, Sheppard, Sherrick, Stone, Thompson of Montgomery, Van Meter, Varley, Vincent, Walker, Watson, Weible, White, Williams and Speaker—44.

So the motion to reconsider was agreed to.

The question then being upon the motion for adjournment as made by Mr. Hodge, the yeas and nays were demanded, ordered, and resulted —yeas 49, nays 44, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Guernsey, Barnett, Barrett, Bay, Beach, Beatty, Blake, Boyce, Case, Carnahan, Chapman of Cuyahoga, Cole, Cooley, Duncan, Faxon, Geghan, Gordon, Haag, Haven, Herron, Hill, Hodge, Holloway, Holt, Huston, Inman, Johnson, Kemp, Loomis, Mann, Marx, Morris, Munson, Myers of Fayette, Neff, Nelson, Newell, Newton, Norton, Pearson, Ramsay, Ray, Richards, Richmond, Sater, Thompson of Lucas, Tryon and West—49.

Those who voted in the negative were—

Messrs. Baker of Fairfield, Baker of Perry, Bell, Brooke, Brunner, Chapman of Meigs, Conklin, Eidson, Eshelman, Green, Hatfield, Heitmann, Hoagland, Howland, Lewis, Light, Mack, Martin, McCloud, McCoy, McKinley, McLain, Mesloh, Miller, Moorehead, Murlin, Oren, Parker, Pattison, Poe, Robb, Scott, Sheppard, Sherrick, Stone, Thompson of Montgomery, Van Meter, Varley, Vincent, Walker, Weible, White, Williams, and Speaker—44.

So the motion was agreed to.

On motion of Mr. Norton, the House adjourned.

Attest: THOMAS COUGHLIN, *Clerk.*

FRIDAY, JANUARY 16, 1874—10 o'clock A.M.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Keen.

The Journal was read and approved.

The following bills were read the second time:

H. B. No. 23: To amend section 4 of an act entitled an act to amend

sections 28, 181, 313, 314, as amended February 16, 1866, 374, as amended March 29, 1859 517, 526, 532, and 557 of the code of civil procedure, passed April 18, 1870.

Referred to the committee on the Judiciary.

H. B. No. 24: To amend section 2 of an act to exempt specific articles of personal property from execution, passed April 16, 1873, and took effect on its passage.

Referred to the committee on the Judiciary.

H. B. No. 25: To repeal section 5 of an act entitled an act in addition to the several acts in relation to the courts of justice, and their powers and duties, passed April 10, and took effect May 1, 1856.

Referred to the committee on the Judiciary.

H. B. No. 26: To establish a joint sub school district in Shelby county.

Referred to the committee on Common Schools and School Lands.

H. B. No. 27: Supplementary to an act entitled an act supplementary to an act providing for the punishment of crimes, and of the several acts amendatory and supplementary thereto.

Referred to the committee on the Judiciary.

H. B. No. 28: To regulate fares and freights on railroads.

Referred to the committee on Railroads and Telegraphs.

H. B. No. 29: Supplementary to an act entitled an act to amend the 45th section of the act entitled an act to incorporate the State Bank of Ohio and other banking companies, passed April 14, 1857, and to an act to amend an act entitled an act to authorize free banking, passed March 16, 1865.

Referred to the committee on Corporations other than Municipal.

H. B. No. 30: Relating to section 29 in Green township, Hamilton county, Ohio.

Referred to the committee on Common Schools and School Lands.

H. B. No. 31: To amend section 1 of an act entitled an act to amend sections 66, 67 and 70 of the act entitled an act to provide for the creation and regulation of incorporated companies in the State of Ohio, passed May 1, 1852, and to repeal a certain act amendatory thereto, passed and took effect January 26, 1865.

Referred to the committee on Corporations other than Municipal.

H. B. No. 32: To authorize the trustees of Seneca township, Monroe county, Ohio, to levy a tax to pay bounties to certain volunteers.

Referred to the committee on Military Affairs.

H. B. No. 33: To repeal sections 7 and 10 of an act entitled an act to provide against the evils resulting from the sale of intoxicating liquors in the State of Ohio, passed May 1, 1854, and as amended April 18, 1870.

Referred to the committee on Temperance.

H. B. No. 34: For the relief of Gross & Dietrich.

Referred to the committee on Public Works.

H. B. No. 35: To protect land-holders.

Referred to the committee on Agriculture.

H. B. No. 36: To amend section 10 of an act entitled an act to provide for the partition of real estate, passed February 17, 1831.

Referred to the committee on the Judiciary.

H. B. No. 37: To authorize the commissioners of Franklin county, Ohio, to levy a tax to pay for the improvement of the grounds of the agricultural society of said county, and its debts due for lands purchased.

Referred to the committee on Agriculture.

H. B. No. 38: To authorize the trustees of Crane township, Wyandot

county, to appropriate funds accruing from the sale of certain railroad bonds, now in the treasury of said township, for road purposes.

Referred to the committee on the Judiciary.

Leave of absence was asked and obtained until Tuesday next for Messrs. Neff, Hill and Tryon.

The following bills were introduced, and read the first time:

H. B. No. 52—By Mr. Case: To amend an act entitled an act for the reorganization and maintenance of common schools, passed May 1, 1873.

H. B. No. 53—By Mr. Sater: Authorizing the board of commissioners of Hamilton, Ohio, to distribute the Cincinnati and Carthage road fund, and to repeal certain local and special acts therein named.

Mr. Lewis, as chairman of committee on Insane Asylums, asked and obtained leave of absence for the members of said committee until to-morrow afternoon.

Mr. Archer asked and obtained indefinite leave of absence for himself.

Mr. McCoy offered for adoption the following resolution:

H. R. No. 39: *Resolved*, That the Sergeant-at-Arms be and is hereby directed to have printed one hundred and fifty copies of the order of business upon good card-board, and to have one copy fastened upon the desk of the Speaker and that of each member.

Mr. Scott moved to amend the resolution by inserting the word "Clerk," instead of the word "Sergeant-at-Arms."

Which was agreed to.

Mr. Holloway moved to amend said resolution by inserting the words "two hundred and fifty," instead of "one hundred and fifty."

Which was agreed to.

The question then being on the adoption of said resolution, the yeas and nays were demanded, ordered, and resulted—yeas 54, nays 14, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Baker of Fairfield, Baker of Perry, Barnett, Bay, Beach, Bell, Blake, Brooke, Case, Carnahan, Chapman of Meigs, Cole, Coler, Conklin, Conkright, Duncan, Eidson, Eshelman, Faxon, Geghan, Gowey, Harrison, Hatfield, Herron, Hoagland, Hodge, Holloway, Holt, Howland, Huston, Kemp, Lewis, Loomis, Mack, Martin, McCoy, McLain, Murlin, Newton, Oren, Pattison, Pearson, Richards, Richmond, Sater, Stone, Thompson of Montgomery, Van Meter, Walker, West, White and Williams—54.

Those who voted in the negative were—

Messrs. Brunner, Green, Heitmann, Hill, McCloud, Mesloh, Miller, Moorehead, Norton, Parker, Poe, Scott, Vincent and Watson—14.

So the resolution was adopted.

The following communication was received from the Governor:

EXECUTIVE DEPARTMENT,
COLUMBUS, *January* 16, 1874.

To the General Assembly:

I have the honor herewith to transmit the partial report of W. W. Enochs, commissioner appointed by the Governor under the act of May 5th, 1873, to urge upon the General Government the payment of the claims of citizens of this State growing out of the damages occasioned by the raid of John Morgan's troops in 1863. Having but one copy of the communication, it is sent to the Senate.

Respectfully,

W. ALLEN, *Governor.*

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has agreed to the report of the joint select committee appointed to prepare joint rules for the government of the General Assembly.

Attest: S. K. DONAVIN, *Clerk.*

Mr. Lewis asked and obtained leave of absence for Mr. Kemp until Tuesday next.

Mr. Holloway moved that the House do now adjourn.

On which motion the yeas and nays were demanded, ordered, and resulted—yeas 10, nays 62, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Belmont, Blake, Carnahan, Duncan, Faxon, Herron, Holloway, Holt, West and White—10.

Those who voted in the negative were—

Messrs. Archer, Baker of Fairfield, Baker of Perry, Barnett, Bay, Beach, Bell, Brooke, Brunner, Case, Chapman of Meigs, Cole, Coler, Conklin, Conkright, Eidson, Eshelman, Geghan, Gowey, Green, Harrison, Hatfield, Heitmann, Hill, Hoagland, Hodge, Howland, Huston, Kemp, Lewis, Loomis, Mack, Martin, McCloud, McCoy, McLain, Mesloh, Miller, Moorehead, Murlin, Myers of Fayette, Norton, Oren, Parker, Pattison, Poe, Richards, Richmond, Robb, Sater, Scott, Sherrick, Stone, Thompson of Montgomery, Van Meter, Varley, Vincent, Walker, Watson, Weible, Williams and Speaker—62.

So the House refused to adjourn.

Indefinite leave of absence was asked and obtained for Mr. Ford.

Messrs. Inman, Marx, Boyce and Huston asked and obtained leave of absence until Tuesday next.

Mr. Norton moved that the House take a recess.

On which motion the yeas and nays were demanded, ordered, and resulted—yeas 36, nays 35, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Baker of Fairfield, Baker of Perry, Barnett, Bay, Beach, Bell, Blake, Brooke, Cole, Coler, Conklin, Conkright, Duncan, Eidson, Eshelman, Hatfield, Haven, Hoagland, Holt, Howland, Kemp, McCloud, McCoy, Moorehead, Murlin, Norton, Parker, Pearson, Richards, Richmond, Sheppard, Thompson of Montgomery, Van Meter, Walker and Speaker—36.

Those who voted in the negative were—

Messrs. Armstrong of Belmont, Brunner, Case, Carnahan, Chapman of Meigs, Faxon, Geghan, Gowey, Green, Harrison, Heitmann, Herron, Hill, Hodge, Holloway, Lewis, Loomis, Mack, McLain, Mesloh, Miller, Myers of Fayette, Newton, Pattison, Poe, Sater, Scott, Sherrick, Stone, Vincent, Watson, Weible, West, White and Williams—35.

So the House took a recess.

HALF-PAST TWO O'CLOCK P.M.

Mr. Haag moved that the House do now adjourn.

On which motion the yeas and nays were demanded, ordered, and resulted—yeas 29, nays 29, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Beach, Blake, Brunner, Case, Carnahan, Cole, Duncan, Eshelman, Faxon, Haag, Harrison, Hill, Hodge, Holloway, Holt, Hus-

ton, Loomis, McLain, Myers of Fayette, Newton, Norton, Oren, Richmond, Sater, Weible, West, White and Speaker—29.

Those who voted in the negative were—

Messrs. Baker of Fairfield, Bay, Bell, Brooke, Chapman of Meigs, Conklin, Conkright, Green, Heitmann, Hoagland, Howland, Mack, McCloud, McCoy, Mesloh, Moorehead, Murlin, Parker, Poe, Robb, Sheppard, Sherrick, Stone, Van Meter, Varley, Vincent, Walker, Watson and Williams—29.

So the House refused to adjourn.

Mr. Holloway demanded a call of the House, and 65 members answered to their names.

Mr. Oren moved that further proceedings under the call be dispensed with.

Which was agreed to.

Mr. White moved that the House do now adjourn.

On which motion the yeas and nays were demanded, ordered, and resulted—yeas 28, nays 35, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Blake, Case, Carnahan, Cole, Duncan, Eshelman, Faxon, Geghan, Gordon, Haag, Hatfield, Hill, Holloway, Huston, Loomis, McLain, Myers of Fayette, Newton, Norton, Oren, Pearson, Sater, Scott, Weible, West, White and Speaker—28.

Those who voted in the negative were—

Messrs. Armstrong of Belmont, Baker of Fairfield, Bay, Beach, Bell, Brooke, Chapman of Meigs, Coler, Conklin, Conkright, Eidson, Green, Harrison, Heitmann, Hoagland, Howland, McCloud, McCoy, Mesloh, Miller, Moorehead, Murlin, Pattison, Poe, Richmond, Robb, Sheppard, Sherrick, Stone, Van Meter, Varley, Vincent, Walker, Watson and Williams—35.

So the House refused to adjourn.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has passed the following bill, in which the concurrence of the House of Representatives is requested:

S. B. No. 6—By Mr. Newman: To authorize the Governor to use a stamp in affixing his signature to official papers.

Attest: S. K DONAVIN, *Clerk.*

Said bill was read the first time.

Mr. Scott moved to dispense with the constitutional rule, and that the bill be now read a second time.

Which was agreed to by a unanimous vote.

The bill was then read a second time, and referred to the committee on Judiciary.

On motion of Mr. Richmond, the House adjourned.

Attest: THOMAS COUGHLIN, *Clerk.*

TUESDAY, JANUARY 20, 1874—2½ o'clock P.M.

The House met pursuant to adjournment.

Prayer by Rev. Mr. Clark.

The Journal of Friday was read and approved.

Mr. Walker, on leave, offered the following resolution:

H. R. No. 40: *Resolved*, That it is the sense of this House of Representatives that a third Assistant Sergeant-at-Arms is unnecessary, and that the convenience of the House, the safety of the State property, and the general good-working of the department of the Sergeant-at-Arms can as well be promoted by an assistant porter, at a saving to the State or tax-payers of two dollars and fifty cents per day.

Mr. Haag gave notice of a desire to discuss said resolution; so, under the rule, it was laid on the table.

Mr. West presented the petition of Hon. John Shaw and 42 other members of the Constitutional Convention, and of H. O. D. Banks and about 3000 others, citizens of the counties of Adams, Brown, Clermont, Clarke, Clinton, Green, Gallia, Hancock, Highland, Hocking, Montgomery, Portage, Miami, Vinton and Wood, asking for the passage of a law making hunting on the lands of another, without permission, a penal offense.

Referred to the committee on Agriculture.

Mr. Chapman of Meigs presented the petition of J. P. Slanant and 164 other citizens of Meigs county, praying for the passage of a law for the relief of Bedford township, in Meigs county.

Referred to the committee on Judiciary.

Mr. Haag submitted the following report:

The committee on Judiciary, to whom was referred S. B. No. 6, to authorize the Governor to use a stamp in affixing his signature to official papers, having had the same under consideration, report it back, with the following amendments:

At the end of section 1 insert the following: "provided, that the written signature of the Governor shall be required when signed to pardons, commutations of punishment, restorations to citizenship, and to all papers of conveyance or purchase, and legal contracts of all descriptions where the State is a party, and to all orders and receipts for public money or other public property."

Also, at the end of section 3, add the words: "and remain in force and effect until the second Monday in January, 1876, and no longer." With the amendments, the committee recommend its engrossment and passage.

J. M. Haag, Wm. W. Beatty,
J. Scott, J. H. Heitmann,
Thomas M. Robb, J. M. Pattison.

The amendments were agreed to.

The bill was then read the third time.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 69, nays 1, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Guernsey, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Beatty, Bell, Blake, Boyce, Brunner, Case, Carnahan, Chapman of Meigs, Coler, Cooley, Conklin, Conkright, Duncan, Eidson, Eshelman, Geghan, Gordon, Green, Haag, Haven, Heitmann, Herron, Hoagland, Holloway, Howland, Huston, Kemp, Lewis, Loomis, Mack, Martin, McCloud, McCoy, Mesloh, Miller, Munson, Murlin, Myers of Fayette, Newell, Newton, Norton, Oren, Parker, Pattison, Pearson, Poe, Ramsay, Ray, Richards, Richmond, Robb, Sater, Scott, Sherrick, Stone, Tryon, Van Meter, Varley, Vincent, Walker, West, White, Williams and Speaker—69.

Mr. Beach voted in the negative.

So the bill passed. The title was agreed to.

The following communication was received from the Governor:

EXECUTIVE DEPARTMENT,
COLUMBUS, *January* 17, 1874.

To the General Assembly of Ohio:

I have the honor herewith to transmit a communication from the President of the Constitutional Convention, addressed to the Governor, conveying the report of the committee of Accounts and Expenditures, with the accompanying resolution of the Convention, and respectfully recommend that the necessary appropriation be made to enable the Convention to complete its important labors.

Having but one copy, I have sent it to the Senate.

Very respectfully,

W. ALLEN, *Governor.*

Mr. McCoy moved to reconsider the vote on the resolution in regard to the printing of the order of business adopted last Friday.

Which was agreed to.

Mr. Haag then moved that the resolution be indefinitely postponed.

Which was agreed to.

The following bills were read the second time:

H. B. No. 39: To amend section 104 of an act entitled an act to establish a code of criminal procedure for the State of Ohio, passed May 6, 1869, as amended January 5, 1871.

Referred to the committee on Judiciary.

H. B. No. 40: To amend section 7 of an act entitled an act to provide for the election of prosecuting attorneys, and prescribing their duties, passed April 30, 1852, and to repeal the section so hereby amended.

Referred to the committee on Judiciary.

H. B. No. 41: To amend section 59 of the act entitled an act to provide for the organization and government of municipal corporations, passed May 7, 1869.

Referred to the committee on Municipal Corporations.

H. B. No. 42: For the relief of J. G. Brugger.

Referred to the committee on Judiciary.

H. B. No. 43: To amend section 485 of the municipal code.

Referred to the committee on Municipal Corporations.

H. B. No. 44: Supplementary to an act passed April 29, 1873, entitled an act to create a board of fire commissioners in cities having a population exceeding ninety thousand inhabitants.

Mr. Haag moved to dispense with the constitutional rule, and that said H. B. No. 44 be read the second time by its title.

Which was not agreed to.

The bill was then read a second time, and referred to the committee on Municipal Corporations.

H. B. No. 45: For the repeal of an act passed May 3, 1873, to authorize the appointment of commissioners of fisheries for the State of Ohio, and defining their duties.

Referred to the committee on Retrenchment.

H. B. No. 46: To amend section 1 of an act entitled an act to provide for the uniform government and better regulation of the lunatic asylums of the State, and the care of idiots and the insane, passed April 7, 1856.

Referred to the committee on Insane Asylums.

H. B. No. 47: To amend section 92 of an act entitled an act of the jurisdiction and procedure before justices of the peace, and of the duties of constables in civil courts, passed March 14, 1853.

Referred to the committee on Fees and Salaries.

H. B. No. 48: To amend section 17 of an act entitled an act for opening and regulating roads and highways, passed January 27, 1853.

Referred to the committee on Fees and Salaries.

H. B. No. 49: To extend the provisions of an act of the General Assembly of the State of Ohio passed on the 2d day of April, 1873, entitled an act to authorize the commissioners of Trumbull county to remove drift and timber from the rivers in said county, so that the same shall be and have full force and effect in the county of Paulding.

Referred to the committee on Ditches, Drains and Water-courses.

H. B. No. 50: To authorize the board of education of Versailles special school district, in Darke county, to issue bonds and borrow money.

Referred to the committee on Common Schools and School Lands.

H. B. No. 51: To authorize the board of education of Perry township, Lawrence county, to levy a tax to pay the indebtedness of said township incurred in the erection of school-houses.

Referred to the committee on Common Schools and School Lands.

H. B. No. 52: To amend an act entitled an act for the reorganization and maintenance of common schools, passed May 1, 1873.

Referred to the committee on Common Schools and School Lands.

H. B. No. 53: Authorizing the board of commissioners of Hamilton county, Ohio, to distribute the Cincinnati and Carthage road fund, and to repeal certain local and special acts therein named.

Mr. Sater moved that said bill be referred to a select committee of ten.

Which was agreed to.

The Speaker then announced as said committee the ten members from Hamilton county, with Mr. Sater as chairman.

The following bills were introduced, and read the first time:

H. B. No. 54—By Mr. Chapman of Meigs: For the relief of Bedford township, Meigs county, Ohio.

H. B. No. 55—By Mr. Oren: For fixing the salaries of the several county officers therein named.

H. B. No. 56—By Mr. Richmond: For the protection of buoys in the State of Ohio.

H. B. No. 57—By Mr. Coler: For the further protection of certain birds and game, and to repeal a certain act therein named.

H. B. No. 58—By Mr. Sater: To amend an act entitled an act to establish boards of control, and to prescribe their duties, passed March 13, 1872; and the act amendatory of sections 2, 12 and 13 of said act, passed March 21, 1872; and to repeal said acts, and the act passed May 5, 1873.

H. B. No. 59—By Mr. Howland: To amend section 1 of an act entitled an act providing for inclosing railroads by fences and cattle-guards, as amended April 26, 1871.

H. B. No. 60—By Mr. McCoy: To authorize the county commissioners of Ross county to transfer any sum not to exceed twenty-five thousand dollars from the bridge fund or surplus funds of said county to the infirmary building fund, and to authorize said commissioners to issue bonds to the amount of thirty thousand dollars, to borrow money for the purpose of completing the county infirmary.

H. B. No. 61—By Mr. Baker of Coshocton: To prevent the introduction and spreading of the Canada and American or common thistle.

H. B. No. 62—By Mr. Bell: To authorize the Board of Public Works to lower three or more culverts along the National road between the villages of Etna and Wagram, in Licking county.

H. B. No. 63—By Mr. Lewis: To amend section 3 of an act entitled an

act to prevent collision on railroads within the State of Ohio, passed March 24, 1860.

Mr. Bell offered for adoption the following resolution:

H. R. No. 41: *Resolved*, That the Speaker of this House be requested to draw his warrant for payment to C. B. Flood for the number of days he was employed in assisting the Clerk of this House.

On which the yeas and nays were ordered, and resulted—yeas 69, nays 1, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Guernsey, Baker of Coshocton, Baker of Fairfield, Barrett, Beach, Bell, Blake, Boyce, Brooke, Brunner, Case, Carnahan, Chapman of Meigs, Cole, Coler, Cooley, Conklin, Conkright, Duncan, Eidson, Eshelman, Geghan, Green, Harrison, Haven, Heitmann, Herron, Holloway, Holt, Howland, Huston, Kemp, Lewis, Mack, Martin, McCloud, McCoy, Mesloh, Miller, Moorehead, Murlin, Myers of Ashland, Myers of Fayette, Nelson, Newell, Newton, Norton, Oren, Parker, Pattison, Pearson, Poe, Ramsay, Richards, Richmond, Robb, Sater, Scott, Sheppard, Sherrick, Stone, Tryon, Van Meter, Vincent, Walker, West, White, Williams and Speaker—69.

Mr. Hoagland voted in the negative.

So the resolution was adopted.

On motion of Mr. Blake, the House adjourned.

Attest: THOMAS COUGHLIN, *Clerk.*

WEDNESDAY, JANUARY 21, 1874—10 o'clock A.M.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Clark.

The Journal was read and approved.

Mr. Sherrick presented the petition of J. A. Myers and 190 other citizens of Stark county, praying for a law for the prevention of keeping ferrets to entrap rabbits, etc.

Which was referred to the committee on Agriculture.

Mr. Gordon presented the petition of John Mears and other citizens of Ohio, praying for a law to prevent the hunting and killing of game on the lands of other persons.

Which was referred to the committee on Agriculture.

Mr. Robb presented the petition of E. Trumbo and 35 other citizens of Allen county, praying for the enactment of laws to curtail the pay of all officers to such amounts as will be just to the laborer and tax-payer.

Which was referred to the committee on Fees and Salaries.

Mr. Neff presented the remonstrance of Saml. T. Hensel and 92 other citizens of Clarke county, against a change in the present game laws.

Which was referred to the committee on Agriculture.

Mr. Neff presented the memorial of E. M. Buckingham, M.D., and 19 other physicians of Clarke county, asking for the passage of a law to regulate suits for malpractice.

Which was referred to the committee on Medical Colleges and Societies.

The following bills were introduced, and read the first time:

H. B. No. 64—By Mr. Brunner: To amend an act entitled an act to amend an act entitled an act to amend section 7 of an act further to pre-

scribe the duties of county commissioners, passed April 8, 1856, as amended February 26, 1857, passed May 7, 1869, and amended and passed March 13, 1872.

H. B. No. 65—By Mr. Baker of Perry: To amend sections 1 and 2 of the act to regulate and govern the Ohio Penitentiary, passed and took effect April 1, 1867.

H. B. No. 66—By Mr. Parker: To authorize the board of education of Huntington township, Brown county, to levy a special tax to pay an existing indebtedness of school building fund.

H. B. No. 67—By Mr. Light: To more effectively provide for locating, establishing and constructing ditches, drains and water-courses in townships, and to repeal certain acts therein named.

H. B. No. 68:—By Mr. Myers of Ashland: For the protection of physicians and surgeons against unjust and malicious prosecutions for alleged malpractice.

H. B. No. 69—By Mr. Martin: For the relief of Joseph S. Pierce.

H. B. No. 70—By Mr. Varley: To amend section 2 of an act to restrain from running at large certain animals therein named, passed April 13, and took effect May 1, 1865.

H. B. No. 71—By Mr. Richmond: To amend sections 5 and 6 of the act entitled an act for the inspection of certain articles therein named.

H. B. No. 72—By Mr. Eshelman, from the committee on Finance: For making appropriations for the Constitutional Convention and General Assembly.

Mr. Scott moved to dispense with the constitutional rule, and that said bill be read a second time now.

Which was agreed to

Said bill was then read a second time, and referred to the committee on Finance.

H. B. No. 73—By Mr. Marx: To amend sections 93 and 96 of an act entitled an act for the reorganization and maintenance of common schools, passed May 1, 1873.

H. B. No. 74—By Mr. Huston: To amend section 2 of an act entitled an act supplementary to an act entitled an act to preserve the purity of elections, passed May 5, 1868.

H. B. No. 75—By Mr. Duncan: Supplementary to an act entitled an act to incorporate loan and savings associations, passed and took effect February 26, 1873.

H. B. No. 76—By Mr. Gowey: To provide for the punishment of the careless use of fire-arms.

Mr. Brunner submitted the following report:

The committee on Public Printing, to whom was referred H. J. R. No. 10, providing for the printing and binding of fourteen thousand additional copies of the Secretary of State's report, having had the same under consideration, are of opinion that, inasmuch as the provisions of an act providing for recording, printing and distributing the Journals of the General Assemby and the Laws and Public Documents, passed April 8, 1866, and amended and passed April 13, 1865, section 3, already requires three thousand additional copies of said report to be printed for distribution, and inasmuch as by a communication from the Supervisor of Public Printing we learn that an additional fourteen thousand copies of said report, bound in muslin, will cost $11,329.47, are of the opinion that the number of copies provided by statute is ample and sufficient for

the wants of the public; therefore report the resolution back, with the recommendation that it be indefinitely postponed.

L. A. BRUNNER, J. S. GORDON,
J. W. NELSON, E. S. HOLLOWAY,
E. B. ESHELMAN, J. B. RAY.

Mr. Scott moved to amend the resolution by striking out all that pertains to the German copies.

Mr. Scott asked leave to withdraw his motion to amend.

Which was agreed to.

The question being on the indefinite postponement of the resolution as recommended by the committee,

On motion of Mr. Morris, the House took a recess.

HALF-PAST TWO O'CLOCK P.M.

The House resumed the consideration of the recommendation of the committee on Public Printing to indefinitely postpone H. J. R. No. 10.

Mr. Haag moved that the resolution be amended by striking out the word "fourteen," and inserting in lieu thereof the word "seven."

Which was disagreed to.

The question then being on the indefinite postponement of the resolution, the yeas and nays were demanded, ordered, and resulted—yeas 27, nays 53, as follows:

Those who voted in the affirmative were—

Messrs. Beach, Boyce, Brooke, Brunner, Carnahan, Cole, Eshelman, Geghan, Green, Hatfield, Hill, Holloway, Huston, Marx, Morris, Myers of Ashland, Nelson, Newton, Norton, Oren, Parker, Pattison, Ray, Sater, Sheppard, Vincent and White—27.

Those who voted in the negative were—

Messrs. Armstrong of Guernsey, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barrett, Bell, Blake, Case, Chapman of Cuyahoga, Coler, Cooley, Conklin, Conkright, Duncan, Eidson Faxon, Gowey, Harrison, Haven, Heitmann, Herron, Hoagland, Hodge, Holt, Howland, Kemp, Lewis, Light, Loomis, Mack, Martin, McCloud, McCoy, McKinley, McLain, Mesloh, Miller, Moorehead, Munson, Murlin, Myers of Fayette, Neff, Pearson, Richards, Richmond, Robb, Stone, Tryon, Van Meter, Varley, Weible, West and Williams—53.

So the House refused to indefinitely postpone the resolution.

Mr. Richards moved to amend the resolution by striking out the word "fourteen" and inserting the word "ten."

Which was disagreed to.

The question then being on the adoption of the resolution, the yeas and nays were ordered, and resulted—yeas 47, nays 43, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Guernsey, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barrett, Bell, Blake, Brooke, Case, Chapman of Cuyahoga, Chapman of Meigs, Cooley, Conklin, Duncan, Eidson, Faxon, Haag, Harrison, Heitmann, Herron, Holt, Howland, Kemp, Lewis, Light, Loomis, Martin, McCloud, McCoy, McKinley, Mesloh, Munson, Murlin, Myers of Fayette, Neff, Pearson, Ramsay, Richmond, Scott, Stone, Tryon, Van Meter, Varley, Walker, Weible, West and Williams—47.

Those who voted in the negative were—

Messrs. Beach, Beatty, Boyce, Brunner, Carnahan, Cole, Coler, Conkright, Eshelman, Geghan, Gowey, Gordon, Green, Hatfield, Haven, Hill,

Hoagland, Hodge, Holloway, Huston, Mack, Marx, McLain, Miller, Moorehead, Morris, Myers of Ashland, Nelson, Newell, Newton, Norton, Oren, Parker, Pattison, Ray, Richards, Robb, Sater, Sheppard, Sherrick, Vincent, White and Speaker—43.

So the resolution was lost.

MESSAGE FROM THE SENATE.

Mr. Speaker :

The following bills have been introduced in the Senate and read the first time :

S. B. No. 9 : To amend section 313 of the code of civil procedure, as amended May 2, 1871. (O. L., Vol. 68, pp. 127–8.)

S. B. No. 10 : To amend section 28 of the code of civil procedure, passed April 18, 1870. (O. L., Vol. 67, pp. 111–12.)

S. B. No. 11 : To authorize the commissioners of Washington county to establish and construct a public road in Belpre township of said county.

S. B. No. 12 : To amend and extend the provisions of an act passed March 10, 1873, entitled an act supplemental to an act entitled an act to provide for the creation and regulation of incorporated companies in the State of Ohio, passed May 1, 1852.

S. B. No. 13 : To define the jurisdiction of the probate court of Summit county in criminal cases.

S. B. No. 14 : To establish a State board of centennial managers.

S. B. No. 15 : To amend section 28 of the code of civil procedure, as amended April 18, 1870.

S. B. No. 16 : To amend the first section of an act entitled an act to provide for the proof, acknowledgment and recording of deeds and other instruments of writing, passed February 21, 1831, took effect June 1, 1831. (O. L., Vol. 29, p. 346 ; 1 S. & C., pp. 458 and 460)

S. B. No. 17 : To amend an act entitled an act relating to wills, and to repeal former acts relating thereto, passed May 3, 1852, took effect June 1, 1852. (O. L., Vol. 50, p. 297 ; 2 S. & C., p. 1615.)

Attest : S. K. DONAVIN, *Clerk.*

MESSAGE FROM THE SENATE.

Mr. Speaker :

The following bills have been introduced in the Senate and read the first time :

S. B. No. 18 : To amend an act to enable manufacturing companies to capitalize their debts by increasing their capital stock and creating preference shares, passed April 11, 1862.

S. B. No. 19 : To provide for the payment of claims for damages growing out of the military expedition of John Morgan in the State of Ohio in 1863.

S. B. No. 20 : To allow reviews in the Supreme Court of the State of Ohio.

S. B. No. 21 : To authorize county treasurers to deposit public money.

S. B. No. 22 : To amend the first section of the act entitled an act to authorize the board of education of the incorporated village of Wapakoneta, in the county of Auglaize, to borrow money and issue bonds to build a school-house, or additions to the school-house in said town.

Attest : S. K. DONAVIN, *Clerk.*

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has concurred in House amendments to S. B. No. 6, to authorize the Governor to use a stamp in affixing his signature to official papers.

Attest: S. K. DONAVIN, *Clerk.*

Mr. Beatty submitted the following report:

The committee on Judiciary, to whom was referred H. B. No. 3, to amend section 70 of an act entitled an act to establish a code of civil procedure, passed March 11, 1853, having had the same under consideration, report it back, with the following amendment, and recommend that the bill pass when so amended:

Strike out lines sixteen, seventeen and eighteen, and in lieu thereof insert the following: "In actions against executors, administrators or guardians, which may be brought in the county wherein such executor, administrator or guardian may have been appointed, or in the county where said defendant may reside within the State, or where such executor, administrator or guardian is, at the time of the commencement of said action, a non-resident of the State."

J. M. HAAG, J. M. PATTISON,
T. M. ROBB, WM. W. BEATTY,
J. H. HEITMANN, J. SCOTT.

The amendment was agreed to, and the bill ordered to be engrossed, and read the third time to-morrow.

Mr. Scott submitted the following report:

The committee on Judiciary, to whom was referred H. B. No. 38, to authorize the trustees of Crane township, Wyandot county, to appropriate funds accruing from the sale of certain railroad bonds, now in the treasury of said township, for road purposes, having had the same under consideration, report it back, with the following amendments, and recommend its engrossment and passage:

Strike out the words "two road districts in," in line 5, section 1, and insert the words "Upper Sandusky road district and the."

In line 7, section 2, strike out the word "repaving," and insert the word "repairing."

J. SCOTT, T. M. ROBB,
WM. W. BEATTY, W. P. HOWLAND,
J. H. HEITMANN, J. M. HAAG.

The amendments were agreed to, and the bill ordered to be engrossed, and read the third time to-morrow.

Mr. Beatty submitted the following report:

The committee on Fees and Salaries, to whom was referred H. B. No. 48, to amend section 17 of an act entitled an act for opening and regulating roads and highways, passed January 27, 1853, having had the same under consideration, report it back, with the following amendments, and recommend its engrossment and passage:

In line six strike out the words "one dollar," and insert in lieu thereof the words "one dollar and fifty cents," and in the same line strike out the word "five" and insert in lieu thereof the word "four."

GEO. S. BAKER, LEBBEUS COLE,
M. A. HOAGLAND, W. W. BEATTY.
J. C. VINCENT,

The amendments were agreed to, and the bill ordered to be engrossed, and read the third time to-morrow.

Mr. Tryon submitted the following report:

The committee on Common Schools and School Lands, to whom was referred H. B. No. 51, to authorize the board of education of Perry township, Lawrence county, to levy a tax to pay the indebtedness of said township incurred in the erection of school-houses, having had the same under consideration, report it back, and recommend its passage.

H. G. TRYON, O. CASE,
A. W. MUNSON, J. SHERRICK,
E. MARTIN, G. W. LIGHT.
J. A. MOOREHEAD,

Said bill was ordered to be engrossed, and read the third time to-morrow.

Mr. Robb submitted the following report:

The committee on Judiciary, to whom was referred H. B. No. 15, to authorize the Treasurer of State to cancel and return the bonds in his custody issued by the authority and in pursuance of an act of the General Assembly entitled an act to authorize counties, cities, incorporated villages and townships to build railroads, and to lease and operate the same, passed April 22, 1872, and the acts amendatory thereof and supplemental thereto, passed March 24, 1873, and to repeal said several acts, having had the same under consideration, report it back, with the recommendation that it be engrossed and passed.

J. M. HAAG, J. M. PATTISON,
WM. W. BEATTY, T. M. ROBB.
J. H. HEITMANN,

Said bill was ordered to be engrossed, and read the third time to-morrow.

Mr. Brunner offered for adoption the following resolution:

H. R. No. 42: *Resolved*, That inasmuch as the Public Printers have collected and received from the Treasury of the State four hundred and four dollars for printing complimentary labels for the use of the members of the House, a sum exorbitant in its character, and which was not provded for in any of their specified contracts with the State, have thereby imposed upon the confidence of the House; and that hereafter all printing ordered by the House for the use of its members shall be submitted to a select committee of three, who shall report to the House the cost of the same before the work is executed.

Mr. Scott moved to refer the resolution to the committee on Public Printing.

Which was agreed to.

Mr. Vincent offered the following resolution, which was adopted:

H. R. No. 43: *Resolved*, That the committee on Fees and Salaries be instructed to inquire what salaries and fees of officers in this State will bear reduction, and how much, and report by bill or otherwise.

Mr. Loomis offered for adoption the following resolution:

H. R. No. 44: *Resolved*, That it is the publicly expressed sentiment of this House that gambling of every description is positively disapproved, and especially is it condemned as a practice to be indulged in by any member of this General Assembly; furthermore, that the Superintendent of Police of the City of Columbus be and is hereby requested to allow no leniency to be exercised toward keepers of gambling-houses or rooms on

account of the patronage afforded such places of resort by any member of this General Assembly.

On motion of Mr. Hodge, said resolution was indefinitely postponed.

Mr. Scott asked and obtained leave of absence for Mr. Herron until Tuesday next.

Mr. Haag asked and obtained indefinite leave of absence for Mr. Hardy.

The Speaker laid before the House the following communication:

HALL OF THE HOUSE OF REPRESENTATIVES,
COLUMBUS, *January* 21, 1874.

TO HON. GEO. L. CONVERSE,
Speaker of the House of Representatives:

Permit me to communicate to the House, through you, the following: The current business of the House is such as to require additional clerical assistance, and in pursuance of the provisions of the act of February 16, 1861, I have to state that I deem three additional Clerks necessary—one for engrossing, one for enrolling, and one to record the House Journal.

Very respectfully,
THOMAS COUGHLIN, *Clerk.*

Mr. Gordon offered for adoption the following resolution:

H. R. No. 45: *Resolved*, That the election of three additional clerks at this time is necessary to the proper transaction of the business of this House.

On which the yeas and nays were demanded, ordered, and resulted—yeas 81, nays 4, as follows:

Those who voted in the affirmative were—

Messrs. Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Bay, Beach, Beatty, Bell, Blake, Boyce, Brooke, Brunner, Case, Chapman of Cuyahoga, Chapman of Meigs, Cole, Cooley, Conklin, Duncan, Eidson, Eshelman, Faxon, Geghan, Gowey, Gordon, Green, Haag, Harrison, Hatfield, Haven, Heitmann, Herron, Hoagland, Hodge, Holloway, Howland, Huston, Kemp, Lewis, Light, Loomis, Mack, Marx, Martin, McCloud, McCoy, McKinley, McLain, Mesloh, Miller, Moorehead, Morris, Munson, Murlin, Myers of Ashland, Myers of Fayette, Neff, Nelson, Newell, Newton, Norton, Oren, Parker, Pattison, Pearson, Ramsay, Ray, Richards, Richmond, Robb, Sater, Scott, Sherrick, Stone, Van Meter, Varley, Walker, West, White, Williams and Speaker—81.

Mesers. Carnahan, Conkright and Hill voted in the negative.

So the resolution was agreed to.

Mr. Gordon nominated Isaac T. Moore, of Hamilton county, for 3d Assistant Clerk.

Mr. Hodge nominated Willie Cool, of Franklin county.

The House proceeded to vote, *viva voce*, with the following result:

Those who voted for Isaac T. Moore were—

Messrs. Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Beach, Bell, Boyce, Brooke, Brunner, Case, Cole, Coler, Conklin, Eidson, Eshelman, Geghan, Gordon, Green, Haag, Hatfield, Haven, Heitmann, Hill, Hoagland, Holloway, Huston, Kemp, Lewis, Light, McCloud, McCoy, McKinley, Mesloh, Miller, Moorehead, Murlin, Myers of Ashland, Nelson, Newell, Norton, Parker, Pattison, Pearson, Robb, Sater, Sheppard, Sherrick, Van Meter, Walker, Weible, West, White and Speaker—53.

Those who voted for Willie Cool were—

Messrs. Armstrong of Guernsey, Barrett, Bay, Beatty, Blake, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Cooley, Conkright, Duncan, Faxon, Gowey, Harrison, Hodge, Howland, Loomis, Mack, Mann, Marx, Martin, McLain, Morris, Munson, Myers of Fayette, Neff, Newton, Ramsay, Richards, Richmond, Scott, Stone, Varley and Williams—34.

Isaac T. Moore was declared duly elected 3d Assistant Clerk.

For 4th Assistant Clerk Mr. Murlin nominated Henry T. Ravenscroft, of Miami county.

Mr. Mack nominated Alexander Campbell, of Summit county.

The House then proceeded to vote, *viva voce*, with the following result:

Those who voted for Henry T. Ravenscroft were—

Messrs. Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Beach, Bell, Boyce, Brooke, Brunner, Case, Cole, Conklin, Eshelman, Geghan, Gordon, Green, Haag, Hatfield, Heitman, Hill, Hoagland, Huston, Kemp, Lewis, Light, McCloud, McCoy, McKinley, Mesloh, Miller, Moorehead, Murlin, Myers of Ashland, Neff, Nelson, Newell, Newton, Norton, Parker, Pattison, Pearson, Richmond, Robb, Sater, Sheppard, Sherrick, Van Meter, Walker, Weible, West, White and Speaker—51.

Those who voted for Alexander Campbell were—

Messrs. Armstrong of Guernsey, Bay, Beatty, Blake, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Coler, Cooley, Conkright, Duncan, Eidson, Faxon, Gowey, Harrison, Haven, Hodge, Holloway, Howland, Loomis, Mack, Mann, Marx, Martin, McLain, Morris, Munson, Myers of Fayette, Oren, Ramsay, Ray, Richards, Richmond, Scott, Stone, Tryon, Varley, Vincent and Williams—39.

Henry T. Ravenscroft was declared duly elected 4th Assistant Clerk.

For 5th Assistant Clerk Mr. McCoy nominated Charles E. Bell, of Highland county.

Mr. Armstrong of Guernsey nominated Philip C. Suit, of Guernsey county.

Those who voted for Charles E. Bell were—

Messrs. Baker of Fairfield, Baker of Perry, Barnett, Beach, Bell, Boyce, Brooke, Brunner, Case, Cole, Conklin, Eshelman, Geghan, Gordon, Green, Haag, Hatfield, Haven, Heitmann, Hill, Hoagland, Hodge, Huston, Kemp, Lewis, Light, McCloud, McCoy, McKinley, Mesloh, Miller, Moorehead, Murlin, Myers of Ashland, Nelson, Newell, Norton, Parker, Pattison, Pearson, Robb, Sater, Sheppard, Sherrick, Stone, Van Meter, Walker, Weible, West, White and Speaker—52.

Those who voted for Philip C. Suit were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Baker of Coshocton, Barrett, Bay, Beatty, Blake, Chapman of Cuyahoga, Chapman of Meigs, Coler, Cooley, Conkright, Duncan, Eidson, Faxon, Gowey, Harrison, Holloway, Howland, Loomis, Mack, Mann, Marx, Martin, McLain, Morris, Munson, Myers of Fayette, Neff, Newton, Oren, Ramsay, Ray, Richards, Richmond, Scott, Tryon, Varley, Vincent and Williams—40.

Charles E. Bell was declared duly elected 5th Assistant Clerk.

Messrs. Moore, Ravenscroft and Bell then came forward and took the oath of office, which was administered by J. H. Heitmann, notary public of Franklin county, and entered upon the discharge of their duties.

The Speaker then laid before the House the following communication:

MR. SPEAKER: I deem it necessary that the House should have one more Assistant Sergeant-at-Arms.

JOHN L. HUSTON,
Sergeant-at-Arms.

The following resolution was then offered by Mr. Gordon:

H. R. No. 46: *Resolved*, That this House deems the election of a 3d Assistant Sergeant-at-Arms necessary at this time.

On which the yeas and nays were demanded, ordered, and resulted—yeas 63, nays 32, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Baker of Coshocton, Barrett, Bay, Beatty, Bell, Boyce, Brunner, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Cooley, Conkright, Duncan, Eidson, Faxon, Ford, Geghan, Gowey, Gordon, Green, Haag, Harrison, Herron, Hodge, Holloway, Holt, Howland, Huston, Kemp, Lewis, Loomis, Mack, Mann, Marx, Martin, McLain, Mesloh, Miller, Morris, Munson, Murlin, Myers of Fayette, Neff, Newell, Newton, Oren, Pattison, Pearson, Ramsay, Ray, Richards, Richmond, Robb, Sater, Scott, Stone, Tryon, Vincent West and Williams—63.

Those who voted in the negative were—

Messrs. Baker of Fairfield, Baker of Perry, Barnett, Beach, Blake, Brooke, Case, Cole, Coler, Conklin, Conkright, Eshelman, Hatfield, Haven, Heitmann, Hill, Hoagland, Light, McCloud, McCoy, McKinley, Moorehead, Myers of Ashland, Nelson, Norton, Parker, Sheppard, Sherrick, Varley, Walker, Weible and White—32.

So the resolution was adopted.

Mr. Gordon nominated Frederick Blenkner, of Franklin county.

Mr. Heitmann nominated Thomas Herpich, of Franklin county.

Mr. Case nominated Charles W. Plummer, of Williams county.

Mr. Sheppard nominated George Divine, of Muskingum county.

Mr. Light nominated James Buchanan, of Putnam county.

Mr. Beach nominated C. C. Gamble, of Knox county.

Mr. White nominated Curtiss Berry, of Wyandot county.

Mr. Conklin nominated H. H. Sage, of Pickaway county.

Mr. Weible nominated N. K. Brown, of Van Wert county.

Mr. Baker of Fairfield nominated Alva Perry, of Fairfield county.

Mr. Sherrick moved that the House do now adjourn.

On which motion the yeas and nays were demanded, ordered, and resulted—yeas 23, nays 68, as follows:

Those who voted in the affirmative were—

Messrs. Baker of Fairfield, Baker of Perry, Barnett, Beach, Brooke, Conklin, Eshelman, Geghan, Heitmann, Hill, Hoagland, Light, McCloud, McKinley, Mesloh, Moorehead, Myers of Ashland, Nelson, Sheppard, Sherrick, Walker, Weible and White—23.

Those who voted in the negative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Baker of Coshocton, Barrett, Bay, Beatty, Bell, Blake, Boyce, Brunner, Case, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Cole, Coler, Cooley, Conkright, Duncan, Eidson, Faxon, Gowey, Gordon, Green, Harrison, Haven, Herron, Hodge, Holloway, Holt, Howland, Huston, Kemp, Lewis, Loomis, Mack, Mann, Marx, Martin, McCoy, McLain, Miller, Morris, Munson, Murlin, Myers of Fayette, Neff, Newell, Newton, Norton, Oren, Pattison, Pearson, Ramsay, Ray, Richards, Richmond, Robb, Sater, Scott, Stone, Tryon, Van Meter, Varley, Vincent, West, Williams and Speaker —68.

So the House refused to adjourn.

Mr. Sherrick then moved that the election of a 3d Assistant Sergeant-at-Arms be postponed until Friday next.

On which motion the yeas and nays were demanded, ordered, and resulted—yeas 28, nays 62, as follows:

Those who voted in the affirmative were—

Messrs. Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Beach, Brooke, Case Cole, Conklin, Eshelman, Hatfield, Heitmann, Hill, Hoagland, Light, McCloud, McKinley, Mesloh, Moorehead, Myers of Ashland, Nelson, Norton, Parker, Sheppard, Sherrick, Walker, Weible and White—28.

Those who voted in the negative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Barrett, Bay, Beatty, Bell, Blake, Boyce, Brunner, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Coler, Cooley, Conkright, Duncan, Eidson, Faxon, Gowey, Gordon, Harrison, Haven, Herron, Hodge, Holloway, Holt, Howland, Huston, Kemp, Lewis, Loomis, Mack, Mann, Marx, Martin, McCoy, McLain, Miller, Morris, Munson, Murlin, Myers of Fayette, Neff, Newell, Newton, Oren, Pattison, Pearson, Ramsay, Ray, Richards, Richmond, Sater, Scott, Stone, Tryon, Van Meter, Varley, Vincent, West, Williams and Speaker—62.

So the House refused to postpone.

Mr. Beach moved that the House do now adjourn.

On which motion the yeas and nays were demanded, ordered, and resulted—yeas 28, nays 65, as follows:

Those who voted in the affirmative were—

Messrs. Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Beach, Brooke, Cole, Conklin, Eshelman, Hatfield, Heitmann, Hill, Hoagland, Light, McCloud, McCoy, McKinley, Mesloh, Moorehead, Myers of Ashland, Nelson, Norton, Parker, Sheppard, Sherrick, Walker, Weible and White—28.

Those who voted in the negative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Barrett, Bay, Beatty, Bell, Blake, Boyce, Brunner, Case. Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Coler, Cooley, Conkright, Duncan, Eidson, Faxon, Geghan, Gowey, Gordon, Green, Harrison, Haven, Herron, Hodge, Holloway, Holt, Howland, Huston, Kemp, Lewis, Loomis, Mack, Mann, Marx, Martin, McLain, Miller, Morris, Munson, Murlin, Myers of Fayette, Neff, Newell, Newton, Oren, Pattison, Pearson, Ramsay, Ray, Richards, Richmond, Robb, Sater, Scott, Stone, Tryon, Van Meter, Varley, Vincent, West, Williams and Speaker—65.

So the House refused to adjourn.

Mr. Hodge moved that the House do now proceed to the election of a 3d Assistant Sergeant-at-Arms.

Mr. Brooke moved that the House do now adjourn.

On which motion the yeas and nays were demanded, ordered, and resulted—yeas 30, nays 63, as follows:

Those who voted in the affirmative were—

Messrs. Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Beach, Brooke, Case, Conklin, Eshelman, Haag, Hatfield, Heitmann, Hill, Hoagland, Light, McCloud, McKinley, Mesloh, Moorehead, Myers of Ashland, Nelson, Norton, Parker, Pattison, Sheppard, Sherrick, Walker, Weible and White—30.

Those who voted in the negative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Barrett, Bay, Beatty, Bell, Blake, Boyce, Brunner, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Cole, Coler, Cooley, Conkright, Duncan, Eidson, Faxon,

Gowey, Gordon, Green, Harrison, Haven, Herron, Hodge, Holloway, Holt, Howland, Huston, Kemp, Lewis, Loomis, Mack, Mann, Marx, Martin, McLain, Miller, Morris, Munson, Murlin, Myers of Fayette, Neff, Newell, Newton, Oren, Pearson, Ramsay, Ray, Richards, Richmond, Robb, Sater, Scott, Stone, Tryon, Van Meter, Varley, Vincent, West, Williams and Speaker —63.

So the House refused to adjourn.

Mr. Heitmann demanded a call of the House.

The roll was called, and 95 members answered to their names.

The absentees were Messrs. Archer, Baskin, Ford, Grosvenor, Hardy, Inman, Poe, Thompson of Lucas, Thompson of Montgomery, and Watson.

The Sergeant-at-Arms was dispatched for absentees.

Mr. Hodge moved that further proceedings under the call be dispensed with.

On which motion the yeas and nays were demanded, taken, and resulted —yeas 66, nays 27, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Barrett, Bay, Beatty, Blake, Brunner, Case, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Cole, Coler, Cooley, Conkright, Duncan, Eidson, Faxon, Geghan, Gowey, Gordon, Green, Harrison, Haven, Heitmann, Herron, Hodge, Holloway, Holt, Howland, Huston, Kemp, Lewis, Loomis, Mack, Mann, Marx, Martin, McLain, Mesloh, Miller, Morris, Munson, Murlin, Myers of Fayette, Neff, Newell, Newton, Oren, Pattison, Pearson, Ramsay, Ray, Richards, Richmond, Robb, Sater, Scott, Stone, Tryon, Van Meter, Varley, Vincent, West, Williams and Speaker—66.

Those who voted in the negative were—

Messrs. Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Beach, Bell, Brooke, Conklin, Eshelman, Haag, Hatfield, Hill, Hoagland, Light, McCloud, McCoy, McKinley, Moorehead, Myers of Ashland, Nelson, Norton, Parker, Sheppard, Sherrick, Walker, Weible and White—27.

So the motion was agreed to.

Mr. Hodge then demanded the previous question.

On which the yeas and nays were demanded, ordered, and resulted—yeas 58, nays 27, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Barrett, Bay, Beatty, Bell, Blake, Boyce, Brunner, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Cole, Coler, Cooley, Conkright, Duncan, Eidson, Faxon, Geghan, Gowey, Gordon, Green, Harrison, Haven, Herron, Hodge, Holloway, Holt, Huston, Kemp, Loomis, Mack, Mann, Marx, Martin, Miller, Morris, Munson, Murlin, Myers of Fayette, Neff, Newell, Newton, Pearson, Ray, Richards, Richmond, Sater, Scott, Stone, Thompson of Lucas, Tryon, Van Meter, Varley, Vincent, West and Williams—58.

Those who voted in the negative were—

Messrs. Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Beach, Brooke, Case, Conklin, Eshelman, Haag, Heitmann, Hill, Hoagland, Light, McCloud, McCoy, McKinley, Mesloh, Moorehead, Myers of Ashland, Nelson, Norton, Sheppard, Sherrick, Walker, Weible and White—27.

So the demand for the previous question was sustained.

Messrs. Brooke and Walker asked to be excused from voting for 3d Assistant Sergeant-at-Arms.

Which was not agreed to.

The House then proceeded to vote *viva voce* for 3d Assistant-Sergeant-at-Arms, with the following result:

Those who voted for Frederick Blenkner were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Barrett, Bay, Beatty, Bell, Blake, Boyce, Carnahan, Chapman of Cuyahoga, Chapman of Meigs. Cooley, Conkright, Duncan, Eidson, Faxon, Geghan, Gowey, Gordon, Harrison, Haven, Herron, Hodge, Holloway, Holt, Howland, Huston, Kemp, Lewis, Loomis, Mack, Mann, Marx, Martin, McLain, Miller, Morris, Munson, Murlin, Myers of Fayette, Neff, Newell, Newton, Oren, Pearson, Ramsay, Ray, Richards, Richmond, Robb, Sater, Scott, Stone, Tryon, Van Meter, Varley, Vincent, West and Williams—59.

Those who voted for Mr. Herpich were—

Messrs. Coler, Haag, Heitmann, Mesloh, Norton and Speaker—6.

Those who voted for Mr. Plummer were—

Messrs. Baker of Perry, Case, McCloud and Nelson—4.

Those who voted for Mr. Divine were—

Messrs. Moorehead, Patti on and Sheppard—3.

Mr. Light voted for Mr. Buchanan.

Those who voted for Mr. Gamble were—

Messrs. Beach, Eshelman, Hatfield, Hoagland and Parker—5.

Those who voted for Mr. Berry were—

Messrs. Myers of Ashland, Walker and White—3.

Messrs. Conklin and McCoy voted for Mr. Sage.

Those who voted for Mr. Brown were—

Messrs. Brunner, Cole, Green, McKinley and Weible—5.

Messrs. Baker of Fairfield, and Brooke voted for Mr. Perry.

Frederick Blenkner was declared duly elected 3d Assistant Sergeant-at-Arms.

Mr. Eshelman offered for adoption the following resolution:

H. R. No. 47: *Resolved*, That the presiding officer of the Constitutional Convention is hereby respectfully requested to report immediately to this House the contract or conditions on which the Constitutional Convention was removed to Cincinnati.

Which was agreed to.

On motion of Mr. Brunner, the House adjourned.

Attest: THOMAS COUGHLIN, *Clerk.*

THURSDAY, JANUARY 22, 1874—10 o'clock A.M.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Clark.

The Journal was read and approved.

Mr. Blenkner, who was elected 3rd Assistant Sergeant-at-Arms, came forward and took the oath of office, which was administered by J. H. Heitmann, a notary public of Franklin county.

Mr. Weible presented the petition of John Lemer and twenty-four other citizens of Putnam county, for a law reducing salaries of county officers.

Which was referred to the committee on New Counties and County Affairs.

Mr. Holloway presented the petition of Henry C. Martin and sixty-eight other citizens of Fairfield township, Columbiana county, asking that H. B.

No. 13 be so amended as to make but one election precinct, which shall be in the town of Columbiana.

Which was referred to the committee on New Counties and County Affairs.

Mr. Holloway presented the petition of J. W. Detwiler and thirty-three other citizens of Fairfield township, Columbiana county, asking that H. B. No. 13 be so amended as to make but one election precinct, which shall be in the town of Columbiana.

Which was referred to the committee on New Counties and County Affairs.

Mr. Scott moved that the House pass the third reading of bills for this day.

Which was agreed to.

The following bills were introduced, and read the first time:

H. B. No. 77—By Mr. Boyce: To amend section 302 of an act entitled an act to provide for the organization and government of municipal corporations, passed May 7, 1869.

H. B. No. 78—By Mr. Williams: To authorize the trustees of Delaware township, Delaware county, to borrow money to assist in building a bridge.

H. B. No. 79—By Mr. Baker of Fairfield: For the repeal of an act entitled an act for the disposition of unclaimed costs, passed May 5, 1873.

H. B. No. 80—By Mr. Kemp: To amend section 27 of an act relating to roads and highways, as amended by the act passed January 6, 1873.

H. B. No. 81—By Mr. Mack: To repeal section 4 of an act entitled an act supplementary to an act entitled an act to provide for the settlement of the estates of deceased persons.

H. B. No. 82—By Mr. Faxon: To amend an act entitled an act to prevent and punish the adulteration of milk and cheese, passed March 23, 1865, and amended March 14, 1871.

H. B. No. 83—By Mr. Tryon: To amend section 27 of an act entitled an act for the reorganization and maintenance of common schools, passed May 1, 1873.

H. B. No. 84—By Mr. Sherrick: To authorize the board of education of the city of Canton, in the county of Stark, to borrow money and issue bonds to purchase sites and build school-houses in Canton school district.

H. B. No. 85—By Mr. Haag: To amend section 6 of an act entitled an act to amend section 1 of an act passed May 16, 1868, entitled an act to amend original sections 6 and 7 of the act entitled an act relating to the organization of courts of justices, and their powers and duties, passed February 19, 1852.

H. B. No. 86—By Mr. Barrett: To prevent dangerous interference with steam boilers.

H. B. No. 87—By Mr. Mann: To amend section 92 of an act entitled an act of the jurisdiction and procedure before justices of the peace, and of the duties of constables in civil courts, passed and took effect March 14, 1853.

H. B. No. 80—By Mr. Sater: To amend section 20 of an act entitled an act prescribing the duties of county auditors, passed and took effect April 4, 1859, as amended January 16, 1873.

Mr. Eshelman submitted the following report:

The committee on Finance, to whom was referred H. B. No. 72, making appropriations for the Constitutional Convention and General Assembly,

having had the same under consideration, report it back, with the recommendation that it be passed.

E. B. Eshelman, R. Hill,
Geo. W. Boyce, W. P. Howland,
Joseph M. Poe, J. Scott,
E. M. Green, T. E. Duncan.

Said bill was ordered to be engrossed, and read a third time to-morrow.

Mr. Lewis submitted the following report:

The committee on Insane Asylums, to whom was referred H. B. No. 46, to amend section 1 of an act entitled an act to provide for the uniform government and better regulation of the lunatic asylums of the State, and the care of idiots and the insane, passed April 7, 1856, having had the same under consideration, report it back, with the following amendments, and recommend its passage when so amended: Substitute in lines 3, 5, 6, and 7 the word "hospital" in place of the word "asylum," so as to read "Northern Ohio Hospital for the Insane, Central Ohio Hospital for the Insane, Southern Ohio Hospital for the Insane and the South-eastern Ohio Hospital for the Insane."

E. C. Lewis, Jacob Kemp,
J. F. Gowey, James A. Norton,
Robert Barnett, R. G. Richards.

The amendments were agreed to, and said bill ordered to be engrossed, and read the third time to-morrow.

Mr. Myers of Ashland submitted the following report:

The committee on Medical Colleges and Societies, to whom was referred H. B. No. 21, regulating the sale of poisons, having had the same under consideration, report it back, with the following amendment, and recommend that the amendment be printed, and that the bill as amended be passed.

Benj. Myers, T. B. Williams,
J. A. Norton, J. B. Ray,
E. C. Lewis, J. Morris.
Geo. W. Light,

On motion of Mr. McCoy, the bill was laid on the table, and ordered to be printed.

Mr. Light submitted the following report:

The committee on Common Schools and School Lands, to whom was referred H. B. No. 50, to authorize the board of education of Versailles special school district, in Darke county, to issue bonds and borrow money, having had the same under consideration, report it back, and recommend that it be amended as follows: Add at the end of section 1 the following: "Said bonds shall be signed by the president and clerk of said board: Provided, that the question of the issuing said bonds and incurring said indebtedness shall first be submitted to a vote of the qualified electors of said special school district, on some day to be named by said board, and of which at least ten days' notice shall be given by written or printed notices, to be posted in at least five of the most conspicuous places in said district. At such election, the several electors favoring the issuing of said bonds shall have written or printed on their ballots the words "Bonds—Yes," and those opposed to the issuing of said bonds shall have written or printed on their ballots the words "Bonds—No;" and if a majority of the qualified electors voting at said election shall vote "Bonds—Yes," then said board of education may issue such bonds and

borrow such money for the purposes hereinbefore recited, and if a majority do not so vote, then said bonds shall not be issued. At said election the board of education, or any three of them, shall act as judges and clerk of the same." With this amendment, we recommend that it be engrossed and passed.

G. W. LIGHT, H. J. TRYON,
O. CASE. E. MARTIN,
JOHNSON SHERRICK, A. W. MUNSON.
J. A. MOOREHEAD,

Said amendment was agreed to, and the bill ordered to be engrossed, and read the third time to-morrow.

Mr. West submitted the following report:

The committee on New Counties and County Affairs, to whom was referred H. B. No. 8, to authorize township trustees to levy a tax to purchase a fire and burglar proof safe, having had the same under consideration, report it back without recommendation.

S. A. WEST, R. RAMSAY,
HIRAM MURLIN, SHELDEN NEWTON,
E. M. WALKER, J. B. RAY.

On motion of Mr. Oren, the bill was laid on the table.

Mr. Mack submitted the following report:

The select committee of one to whom was referred the petition of Jas. Arnold and 50 other citizens of Summit county, praying for the privilege of levying a tax for the purpose of purchasing a hearse and hearse house, having had the same under consideration, reports by bill.

HIRAM H. MACK.

Following is the bill:

H. B. No. 89—By Mr. Mack: To authorize the trustees of Copley township, Summit county, to levy a tax for certain purposes therein named.

Said bill was read the first time.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The following bills have been introduced in the Senate and read the first time:

S. B. No. 23: For the relief of the county treasury of Richland county, Ohio.

S. B. No. 24: For the relief of medical colleges.

S. B. No. 25: To amend the second clause of the second section of an act entitled an act regulating descents and distribution of personal estates, passed March 14, 1853, took effect July 1, 1853 (Vol. 51 O. L., p. 499), as amended by an act which took effect April 17, 1857. (Vol. 54 O. L., p. 194; 1 S. & C., p. 502.)

S. B. No. 26: To authorize the trustees of Jefferson township, Muskingum county, to appropriate certain moneys belonging to said township on Main street, in the village of Dresden.

S. B. No. 27: To amend an act supplementary to an act entitled an act for the encouragement of agriculture, passed February 28, 1846, passed February 15, 1853. (Vol. 51 O. L., p. 333.)

S. B. No. 28: To amend section 2 of an act to establish a code of criminal procedure for the State of Ohio, passed May 6, 1869, took effect August 1, 1869. (Vol. 66 O. L., p. 287.)

S. B. No. 29: To amend an act to establish the superior court for the city of Cleveland, and to repeal an act therein named, passed May 5, 1873. (Vol. 70 O. L., p. 297.)

Attest: S. K. DONAVIN, *Clerk.*

The Speaker laid before the House communications from L. L. Rice, Supervisor of Public Printing; Philip Herzing, President of the Board of Public Works, and O. L. Wolcott, Commissioner of Railroads and Telegraphs.

Said communications were referred to the committee on Finance.

The Speaker also laid before the House a communication from the Ohio State Board of Agriculture, relative to amending the game laws of the State.

Which was referred to the committee on Agriculture.

Mr. Heitmann, on leave, submitted the following report:

The committee on Insurance, to whom was referred H. B. No. 2, to amend section 2 of an act amendatory and supplementary to an act entitled an act to regulate insurance companies doing an insurance business in the State of Ohio, passed April 24, 1873, having had the same under consideration, report it back, with the recommendation that it be indefinitely postponed.

BENJ. MYERS, E. S. HOLLOWAY,
J. H. HEITMANN, WM. BELL, JR.
EDGAR MARTIN,

Mr. Haag moved that said bill be recommitted to the committee on Insurance.

Which was agreed to.

Mr. Heitmann offered the following resolution:

H. J. R. No. 11: *Resolved by the General Assembly of the State of Ohio*, That there be printed in the German language two thousand copies of the last report of the Secretary of State.

Mr. Scott moved to refer the resolution to the committee on Public Printing.

Which was agreed to.

Mr. McCoy offered for adoption the following resolution:

H. J. R. No. 12: Favoring an expansion of the currency.

WHEREAS, The business interests of the country, and the development of our mineral, agricultural, manufacturing and commercial resources, require an expansion rather than a contraction of the currency; and

WHEREAS, There is a desire expressed on the part of some members of Congress to contract the currency, thereby causing the business interests to suffer, and impede the general prosperity of the country; therefore

Resolved by the General Assembly of the State of Ohio, That our Senators be and are hereby instructed, and our Representatives in Congress requested, to use their influence to secure a further issue of legal tender notes, and with said issue take up or redeem such an amount of bonds as will meet the necessities of the people, and to oppose all measures looking to a contraction of the currency by a resumption of specie payment, or otherwise, until the country is better prepared for so radical a change in its financial system.

Resolved, That the Governor be and he is hereby requested to transmit a copy of the preamble and resolution to each of our Senators and members in the Congress of the United States.

Mr. Hodge moved to lay said resolution on the table, and that it be ordered printed.

Which was agreed to.

Mr. Richards offered the following resolution:

H. J. R. No. 13: *Resolved by the General Assembly of the State of Ohio*, That there be printed and bound in cloth ten thousand copies of the Secretary of State's report for the year 1873, for the use of, and to be equally distributed to, the members of the General Assembly.

Mr. Eshelman moved to refer the resolution to the committee on Public Printing.

Which was agreed to.

Mr. Holloway offered for adoption the following resolution:

H. J. R. No. 14: WHEREAS, The practice of railroad officers, and managers of other transportation companies, associating themselves together as the proprietors of fast-freight lines and other like capacities, whereby they are enabled to contract with themselves, so as to secure large profits for themselves as against the interests of the common stockholders, and whereby they evade paying taxes on a large amount of property, has become so common as to demand legislation, both State and national, in order to protect the commercial interests of the country; and

WHEREAS, A bill has been introduced in the House of Representatives in the United States Congress by the Hon. L. D. Woodworth, of Ohio, providing for the establishment of a bureau of transportation, and to regulate the management of railroad and other transportation companies employed in interstate commerce; and

WHEREAS, The general objects sought for in said bill will, if adopted, remedy many of the wrongs now existing, and at the same time protect such companies in all of their just rights while pursuing their legitimate business; therefore

Resolved by the General Assembly of the State of Ohio, That our Senators are hereby instructed and our Representatives requested to use all honorable means to secure the passage of this or a similar bill.

Resolved, That the Governor is hereby requested to transmit without delay a copy of these resolutions to each Senator and Representative from the State of Ohio.

Mr. Holloway moved that said resolution be referred to a select committee of three.

Mr. Haag moved to refer said resolution to the committee on Public Printing.

Mr. McCoy moved that the resolution be laid on the table.

Which was agreed to.

Mr. Haag offered the following resolution, which was adopted:

H. R. No. 48: *Resolved*, That the Clerk be directed, in making up the calendar, to state after the title of the bill the name of the committee having had the same in charge, and the report made thereon.

Mr. McCloud asked and obtained leave of absence until to-morrow for himself and members of the committee on Military Affairs.

On motion of Mr. Mann, the House took a recess.

HALF-PAST TWO O'CLOCK P.M.

Mr. Richmond asked and obtained leave for the committee on Agriculture to sit this afternoon.

Mr. Heitmann, on leave, presented the petition of J. M. Fuson and 52

other citizens of Franklin county, for the passage of H. B. No. 37, to authorize the commissioners of Franklin county, Ohio, to levy a tax to pay for the improvement of the grounds of the agricultural society of said county and its debts due for lands purchased.

Which was referred to the committee on Agriculture.

Mr. Sherrick presented the petition of Canton city school board, of Canton, Stark county, for an additional levy to that authorized by law, not to exceed one hundred thousand dollars, to be applied in building new school-houses in Canton district, the money to be raised by issuing bonds.

Which was referred to the committee on Common Schools and School Lands.

Mr. Robb presented the petition of G. Heffner, R. E. Jones and other citizens of Allen county, for the passage of a law authorizing the commissioners of Allen county to levy a tax for the purpose of purchasing and improving grounds for the use of the Allen County Agricultural Society.

Which was referred to the committee on Agriculture.

Leave of absence was asked and obtained for Messrs. Oren and Vincent from to-morrow until Tuesday next.

The following bills were read the second time:

H. B. No. 54: For the relief of Bedford township, Meigs county, Ohio.

Referred to the committee on Finance.

H. B. No. 55: Fixing the salaries of the several county officers therein named.

Referred to the committee on Fees and Salaries.

H. B. No. 56: For the protection of buoys in the State of Ohio.

Referred to the committee on Federal Relations.

Mr. Marx moved to reconsider the vote on H. J. R. No. 10, on the printing of reports of the Secretary of State.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 35, nays 25, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Baker of Coshocton, Baker of Fairfield, Barrett, Bell, Blake. Coler, Conklin, Eidson, Faxon, Haag, Harrison, Hodge, Holloway, Holt, Howland, Lewis, Mann, Marx, Martin, McLain, Neff, Newton, Oren, Pearson, Ramsay, Ray, Richards, Scott, Tryon, Van Meter, Varley, Weible and West—35.

Those who voted in the negative were—

Messrs. Beach, Beatty, Boyce, Brunner, Cole, Conkright, Duncan, Eshelman, Ford, Gordon, Hill, Hoagland, Huston, Morris, Myers of Ashland, Newell, Norton, Parker, Poe, Robb, Sheppard, Sherrick, Vincent, White and Speaker—25.

So the motion was agreed to.

Mr. Hodge moved that the further consideration of the resolution be postponed until to-morrow.

Which was agreed to.

Mr. Mann offered for adoption the following resolution:

H. R. No. 49: *Resolved*, That the Sergeant-at-Arms be required to procure the printing of 250 copies of the standing committees of the House, in suitable form to be pasted on the cover of the bill-books of each member of the House.

Mr. Poe moved that the resolution be referred to the committee on Public Printing.

Which was agreed to.

Mr. Scott moved that H. J. R. No. 4 be taken from the table.

Which was agreed to.

Mr. Gordon moved that the resolution be referred to the committee on Federal Relations.

On which motion the yeas and nays were demanded, ordered, and resulted—yeas 23, nays 44, as follows:

Those who voted in the affirmative were—

Messrs. Baker of Coshocton, Baskin, Boyce, Brunner, Cole, Eshelman, Gordon, Haag, Heitmann, Hill, Holloway, Holt, Huston, McCoy, Murlin, Newell, Norton, Pattison, Pearson, Richards, Robb, Sater and West.—23.

Those who voted in the negative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Baker of Fairfield, Barrett, Bay, Beach, Beatty, Bell, Blake, Chapman of Cuyahoga, Coler, Conklin, Conkright, Duncan, Faxon, Gowey, Harrison, Hoagland, Hodge, Howland, Kemp, Light, Mack, Mann, Marx, McLain, Morris, Myers of Ashland, Neff, Newton, Parker, Poe, Ray, Richmond, Scott, Sheppard, Sherrick, Thompson of Montgomery, Tryon, Van Meter, Varley, White, Williams and Speaker—44.

So the motion to refer was disagreed to.

Mr. Haag moved that said resolution be amended as follows:

Add at the end of the resolution the following: "and that a select committee of five be appointed to determine what is the necessary legislation demanded by the wants of the people."

Mr. Eshelman moved that the resolution be referred to the committee on Finance.

On which motion the yeas and nays were demanded, ordered, and resulted—yeas 35, nays 44, as follows:

Those who voted in the affirmative were—

Messrs. Baker of Coshocton, Baker of Fairfield, Barnett, Baskin, Beach, Boyce, Brunner, Cole, Eidson, Eshelman, Gordon, Green, Haag, Heitmann, Hill, Huston, Inman, Kemp, Light, McCoy, Murlin, Newell, Norton, Parker, Pattison, Pearson, Ramsay, Robb, Sater, Sheppard, Sherrick, Thompson of Montgomery, Weible, West and White—35.

Those who voted in the negative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Baker of Perry, Barrett, Bay, Beatty, Bell, Blake, Chapman of Cuyahoga, Coler, Conklin, Conkright, Duncan, Faxon, Gowey, Harrison, Hoagland, Hodge, Holloway, Howland, Lewis, Mack, Mann, Marx, Martin, McLain, Morris, Munson, Myers of Ashland, Newton, Oren, Poe, Ray, Richards, Richmond, Scott, Stone, Thompson of Lucas, Tryon, Van Meter, Varley, Vincent, and Williams—44.

So the motion to refer was disagreed to.

Mr. Haag's motion to amend was disagreed to.

Mr. Haag then offered the following substitute:

H. J. R. No. 4: *Resolved by the General Assembly of the State of Ohio*, That in the legislation of this body the advice contained in the Governor's inaugural will be followed as closely as possible.

Mr. Mann asked and obtained leave of absence for Mr. Nelson until Saturday next.

Mr. Parker moved that the House do now adjourn.

On which motion the yeas and nays were demanded, ordered, and resulted—yeas 28, nays 58, as follows:

Those who voted in the affirmative were—

Messrs. Baker of Coshocton, Baker of Fairfield, Barnett, Baskin, Boyce,

Brunner, Conklin, Eidson, Gordon, Haag, Hatfield, Heitmann, Mann, McCloud, McCoy, McKinley, Myers of Ashland, Neff, Norton, Parker, Pattison, Robb, Sater, Sheppard, Sherrick, Weible, West and White—28.

Those who voted in the negative were—

Messrs. Armstrong of Belmont, Baker of Perry, Barrett, Bay, Beach, Beatty, Bell, Blake, Chapman of Cuyahoga, Cole, Coler, Cooley, Conkright, Duncan, Eshelman, Gowey, Green, Harrison, Hill, Hoagland, Hodge, Holloway, Holt, Howland, Huston, Inman, Kemp, Lewis, Loomis, Mack, Marx, Martin, McLain, Mesloh, Miller, Morris, Munson, Murlin, Myers of Fayette, Newell, Newton, Oren, Pearson, Poe, Ramsay, Richards, Richmond, Scott, Stone, Thompson of Lucas, Thompson of Montgomery, Tryon, Van Meter, Varley, Vincent, Watson, Williams and Speaker—58.

So the House refused to adjourn.

The question then being on Mr. Haag's substitute for H. J. R. No. 4, the yeas and nays were demanded, ordered, and resulted—yeas 48, nays 46, as follows:

Those who voted in the affirmative were—

Messrs. Baker of Fairfield, Baker of Perry, Barnett, Baskin, Beach, Bell, Boyce, Brunner, Case, Cole, Conklin, Eshelman, Gordon, Green, Haag, Hatfield, Heitmann, Hill, Hoagland, Huston, Inman, Kemp, Lewis, Light, McCloud, McCoy, McKinley, Mesloh, Murlin, Myers of Ashland, Newell, Newton, Norton, Parker, Pattison, Pearson, Poe, Robb, Sater, Sheppard, Sherrick, Thompson of Montgomery, Van Meter, Walker, Watson, Weibel, West and White—48.

Those who voted in the negative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Baker of Coshocton, Barrett, Bay, Beatty, Blake, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Coler, Cooley, Conkright, Duncan, Gowey, Harrison, Hodge, Holloway, Holt, Howland, Loomis, Mack, Mann, Marx, Martin, McLain, Miller, Morris, Munson, Myers of Fayette, Neff, Oren, Ray, Richards, Richmond, Scott, Stone, Thompson of Lucas, Tryon, Varley, Vincent and Williams—46.

So the substitute was agreed to.

Mr. Scott then offered the following amendment to the substitute:

Insert after the word "inaugural" the words "that it is unnecessary to alter, in any very material particulars, the existing laws at this present session."

Mr. Norton moved that the House do now adjourn.

On which motion the yeas and nays were demanded, ordered, and resulted—yeas 19, nays 61, as follows:

Those who voted in the affirmative were—

Messrs. Baker of Coshocton, Barnett, Gordon, Haag, Huston, Light, McKinley, Norton, Oren, Parker, Pattison, Pearson, Ramsay, Robb, Thompson of Lucas, Thompson of Montgomery, West and White—19.

Those who voted in the negative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Baker of Fairfield, Baker of Perry, Barrett, Baskin, Bay, Beach, Bell, Blake, Boyce, Brunner, Case, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Cole, Coler, Cooley, Conklin, Conkright, Duncan, Gowey, Green, Harrison, Hill, Hoagland, Hodge, Holloway, Howland, Inman, Kemp, Lewis, Mack, Mann, Marx, Martin, McCloud, McCoy, McLain, Mesloh, Miller, Morris, Munson, Murlin, Myers of Fayette, Neff, Newell, Poe, Ray, Richards, Rich-

mond, Sater, Scott, Sheppard, Sherrick, Stone, Tryon, Van Meter, Varley, Walker and Watson—61.

So the House refused to adjourn.

Mr. Scott then offered the following amendment to the amendment:

And add to the end of the substitute the words "and that we adjourn at an early day."

Mr. McCoy moved to commit the substitute, with the amendments, to the committee on Retrenchment.

Mr. Hodge moved to instruct the committee to report to-morrow.

Which was disagreed to.

The question then being on Mr. McCoy's motion to commit, the yeas and nays were demanded, ordered, and resulted—yeas 50, nays 41, as follows:

Those who voted in the affirmative were—

Messrs. Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Baskin, Beach, Bell, Boyce, Brunner, Case, Cole, Conklin, Eshelman, Gordon, Green, Haag, Hatfield, Heitmann, Hoagland, Holt, Huston, Inman, Kemp, Lewis, Light, McCloud, McCoy, McKinley, Mesloh, Miller, Murlin, Myers of Ashland, Newell, Norton, Parker, Pattison, Pearson, Poe, Robb, Sater, Sheppard, Sherrick, Thompson of Montgomery, Van Meter, Walker, Watson, Weible, West, White and Speaker—50.

Those who voted in the negative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Barrett, Bay, Beatty, Blake, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Coler, Cooley, Conkright, Duncan, Faxon, Gowey, Harrison, Hill, Hodge, Holloway, Howland, Loomis, Mack, Mann, Marx, Martin, McLain, Morris, Munson, Myers of Fayette, Neff, Newton, Ramsay, Ray, Richmond, Scott, Stone, Thompson of Lucas, Tryon, Varley, Vincent and Williams—41.

So the resolution and pending amendments were referred to the committee on Retrenchment.

On motion of Mr. Baker of Fairfield, the House adjourned.

Attest: THOMAS COUGHLIN, *Clerk.*

FRIDAY, JANUARY 23, 1874—10 o'clock A.M.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Clark.

The Journal was read and approved.

Mr. Heitmann presented the petition of Bernard Ritter, of Franklin county, praying to be allowed twenty-five dollars damages sustained by the carelessness of the warden of the Penitentiary.

Which was referred to the committee on Claims.

Mr. Howland moved that all bills set for second reading to-day be now read.

Which was agreed to.

The following bills were read the second time:

H. B. No. 57: For the further protection of certain birds and game, and to repeal a certain act therein named.

Referred to the committee on Agriculture.

Mr. Chapman of Meigs asked leave to have H. B. No. 54, heretofore

referred to the committee on Finance, referred to the committee on the Judiciary.

Which was agreed to, and the bill so referred.

The second reading of bills was then resumed.

H. B. No. 58: To amend an act entitled an act to establish boards of control and to prescribe their duties, passed March 13, 1872, and the act amendatory of sections 2, 12 and 13 of said act, passed March 21, 1872, and to repeal said acts, and the act passed May 5, 1873.

Referred to the committee on New Counties and County Affairs.

H. B. No. 59: To amend section 1 of an act entitled an act providing for inclosing railroads by fences and cattle-guards, as amended April 26, 1871.

Referred to the committee on Railroads and Telegraphs.

H. B. No. 60: To authorize the county commissioners of Ross county to transfer any sum not to exceed twenty-five thousand dollars from the bridge fund or surplus funds of said county to the infirmary building fund, and to authorize said commissioners to issue bonds to the amount of thirty thousand dollars to borrow money for the purpose of completing the county infirmary.

Referred to the committee on New Counties and County Affairs.

Mr. Boyce submitted the following report:

The committee on Revision, to whom was referred H. B's Nos. 3, 15, 38, 48, 51 and 72, having had the same under consideration, report them correctly engrossed.

GEO. W. BOYCE,	ORVIL BLAKE,
JOHNSON SHERRICK,	E. B. PARKER,
WILLIAM M. MCKINLEY,	JON. MORRIS.

H. B. No. 3, to amend section 70 of an act entitled an act to establish a code of civil procedure, passed March 11, 1853, was read the third time.

Mr. Howland moved that the bill be referred to a select committee of one, with instructions to amend by inserting after the word "State," in line 7, the following, to wit: "in actions brought to establish or set aside a will when any or all the defendants reside out of the State."

Which was agreed to,

Mr. Howland was appointed said committee, who reported the bill back amended as instructed.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 86, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Guernsey, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barrett, Baskin, Bay, Beach, Beatty, Blake, Boyce, Brunner, Case, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Cole, Coler, Cooley, Conklin, Conkright, Duncan, Eidson, Eshelman, Faxon, Geghan, Gowey, Green, Haag, Harrison, Hatfield, Heitmann, Hill, Hoagland, Hodge, Holt, Howland, Huston, Inman, Johnson, Kemp, Lewis, Light, Loomis, Mack, Mann, Marx, McCloud, McCoy, McKinley, Mesloh, Miller, Moorehead, Morris, Munson, Murlin, Myers of Ashland, Myers of Fayette, Neff, Newell, Newton, Norton, Parker, Pattison, Poe, Ramsay, Ray, Richards, Richmond, Robb, Sater, Scott, Sheppard, Sherrick, Stone, Thompson of Lucas, Thompson of Montgomery, Tryon, Van Meter, Varley, Walker, Watson, Weible, West, Williams and Speaker —86.

So the bill passed. The title was agreed to.

H. B. No. 15, to authorize the Treasurer of State to cancel and return

the bonds in his custody issued by the authority and in pursuance of an act of the General Assembly entitled an act to authorize counties, cities, incorporated villages and townships to build railroads, and to lease and operate the same, passed April 23, 1872, and the acts amendatory thereof and supplementary thereto, passed March 31, 1873, and to repeal said several acts, was read the third time.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 90, nays 2, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Baskin, Bay, Beach, Beatty, Blake, Boyce, Brunner, Case, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Cole, Coler, Cooley, Conklin, Conkright, Duncan, Eidson, Eshelman, Faxon, Geghan, Gowey, Gordon, Green, Haag, Harrison, Hatfield, Heitmann, Hill, Hoagland, Hodge, Holt, Howland, Huston, Inman, Johnson, Kemp, Lewis, Light, Loomis, Mack, Mann, Marx, Martin, McCloud, McKinley, McLain, Mesloh, Miller, Moorehead, Morris, Munson, Murlin, Myers of Ashland, Myers of Fayette, Neff, Newell, Newton, Norton, Parker, Pattison, Pearson, Ramsay, Ray, Richards, Richmond, Robb, Sater, Scott, Sheppard, Sherrick, Stone, Thompson of Lucas, Thompson of Montgomery, Tryon, Van Meter, Varley, Walker, Watson, Weible, West, White, Williams and Speaker—90.

Messrs. Barrett and McCoy voted in the negative.

So the bill passed. The title was agreed to.

H. B. No. 38, to authorize the trustees of Crane township, Wyandot county, to appropriate funds accruing from the sale of certain railroad bonds, now in the treasury of said township, for road purposes, was read the third time.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 90, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Barrett, Baskin, Bay, Beach, Beatty, Blake, Boyce, Brunner, Case, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Cole, Coler, Cooley, Conklin, Conkright, Duncan, Eshelman, Faxon, Geghan, Gowey, Gordon, Green, Haag, Harrison, Hatfield, Heitmann, Hill, Hoagland, Hodge, Holt, Howland, Huston, Inman, Johnson, Kemp, Lewis, Light, Loomis, Mack, Mann, Marx, Martin, McCloud, McCoy, McKinley, McLain, Mesloh, Miller, Moorehead, Munson, Murlin, Myers of Ashland, Myers of Fayette, Neff, Newell, Newton, Norton, Parker, Pattison, Pearson, Poe, Ramsay, Ray, Richards, Richmond, Robb, Sater, Scott, Sheppard, Sherrick, Stone, Thompson of Lucas, Thompson of Montgomery, Tryon, Varley, Walker, Watson, Weible, West, White, Williams and Speaker—90.

So the bill passed. The title was agreed to.

H. B. No. 48, to amend section 17 of an act entitled an act for opening and regulating roads and highways, passed January 27, 1853, was read the third time.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 85, nays 3, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Barrett, Baskin, Bay, Beach, Beatty, Blake, Boyce, Brunner, Case, Carnahan, Chapman of

Cuyahoga, Cole, Coler, Cooley, Conklin, Conkright, Duncan, Eidson, Eshelman, Faxon, Geghan, Gowey, Green, Haag, Hatfield, Heitmann, Hill, Hoagland, Hodge, Holt, Howland, Huston, Inman, Johnson, Kemp, Lewis, Light, Loomis, Mack, Mann, Martin, McCloud, McCoy, McKinley, McLain, Mesloh, Miller, Moorehead, Munson, Murlin, Myers of Ashland, Myers of Fayette, Neff, Newell, Newton, Norton, Parker, Pattison, Pearson, Poe, Ramsay, Ray, Richards, Richmond, Robb, Sater, Sherrick, Stone, Thompson of Lucas, Thompson of Montgomery, Tryon, Van Meter, Varley, Walker, Weible, West, White, Williams and Speaker—85.

Messrs. Chapman of Meigs, Harrison and Scott voted in the negative.

So the bill passed. The title was agreed to.

H. B. No. 51, to authorize the board of education of Perry township, Lawrence county, to levy a tax to pay the indebtedness of said township incurred in the erection of school-houses, was read the third time.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 89, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Barrett, Baskin, Bay, Beach, Blake, Boyce, Brunner, Case, Carnahan, Chapman of Cuyahoga, Cole, Coler, Cooley, Conklin, Conkright, Duncan, Eidson, Eshelman, Faxon, Gowey, Green, Haag, Harrison, Hatfield, Heitmann, Hill, Hoagland, Hodge, Holt, Howland, Huston, Inman, Johnson, Kemp, Lewis, Light, Loomis, Mack, Mann, Marx, Martin, McCloud, McCoy, McKinley, McLain, Mesloh, Miller, Moorehead, Morris, Munson, Murlin, Myers of Ashland, Myers of Fayette, Neff, Newell, Newton, Norton, Parker, Pattison, Pearson, Poe, Ramsay, Ray, Richards, Richmond, Robb, Sater, Scott, Sheppard, Sherrick, Stone, Thompson of Lucas, Thompson of Montgomery, Tryon, Van Meter, Varley, Walker, Watson, Weible, West, White, Williams and Speaker—89.

So the bill passed. The title was agreed to.

H. B. No. 72, making appropriations for the Constitutional Convention and General Assembly, was read the third time.

Mr. Scott moved that the bill be referred to a select committee of one, with instructions to amend by inserting after the words "for the mileage and per diem of members of the General Assembly," the words "and the per diem of their clerks."

Which was agreed to.

Mr. Scott was appointed said committee, who reported the bill back, amended as instructed.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 83, nays 4, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Barrett, Bay, Beach, Blake, Boyce, Case, Chapman of Cuyahoga, Chapman of Meigs, Cole, Coler, Cooley, Conklin, Conkright, Duncan, Eidson, Eshelman, Faxon, Geghan, Gowey, Gordon, Green, Haag, Harrison, Hatfield, Heitmann, Hill, Hoagland, Hodge, Holt, Howland, Huston, Inman, Johnson, Kemp, Lewis, Light, Loomis, Mack, Mann, Marx, Martin, McCloud, McKinley, Mesloh, Miller, Moorehead, Morris, Munson, Murlin, Myers of Ashland, Myers of Fayette, Neff, Newell, Newton, Parker, Pattison, Pearson, Poe, Ramsay, Ray, Richards, Richmond, Robb, Sater, Scott, Sherrick, Stone, Thompson of Lucas, Thompson of Montgomery, Tryon, Van Meter, Varley, Walker, Watson, West, Williams and Speaker—83.

Messrs. Baskin, Brunner, McCoy and White voted in the negative.

So the bill passed. The title was agreed to.

Mr. Blake asked and obtained leave of absence for himself until Monday next.

Mr. Brunner, on leave, submitted the following report:

The committee on Public Printing, to whom was referred H. R. No. 49, having had the same under consideration, report it back, with the recommendation that it be adopted, and the Sergeant-at-Arms be directed to procure the same of Nevins & Myers, provided they do not cost more than $3.75 per 100.

L. A. Brunner, I. M. Barrett,
E. B. Eshelman, J. S. Gordon.
J. B. Ray,

The recommendation of the committee was agreed to.

The question being on the adoption of said resolution, the yeas and nays were ordered, and resulted—yeas 40, nays 47, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Baker of Coshocton, Baskin, Beach, Beatty, Brunner, Case, Chapman of Cuyahoga, Cole, Cooley, Conkright, Duncan, Eidson, Faxon, Geghan, Haag, Hatfield, Heitmann, Hill, Hodge, Huston, Inman, Johnson, Mann, Marx, McCloud, McCoy, McKinley, Murlin, Newell, Norton, Pattison, Ramsay, Ray, Robb, Sater, Thompson of Montgomery, Weible and West—40.

Those who voted in the negative were—

Messrs. Baker of Fairfield, Baker of Perry, Barnett, Bay, Boyce, Carnahan, Chapman of Meigs, Coler, Conklin, Gowey, Green, Harrison, Hoagland, Holt, Howland, Kemp, Light, Loomis, Mack, Martin, McLain, Mesloh, Miller, Moorehead, Morris, Munson, Myers of Ashland, Myers of Fayette, Newton, Parker, Pearson, Poe, Richards, Richmond, Scott, Sheppard, Sherrick, Stone, Thompson of Lucas, Tryon, Van Meter, Varley, Walker, Watson, White, Williams and Speaker—47.

So the resolution was lost.

On motion of Mr. Richmond, the House took a recess.

HALF-PAST TWO O'CLOCK P.M.

Mr. Pattison submitted the following report:

The joint committee on Enrollment have examined, and found correctly enrolled, the following bill:

S. B. No. 6: To authorize the Governor to use a stamp in affixing his signature to official papers.

J. C. Fisher, J. M. Pattison,
S. Knox, H. M. Chapman,
A. M. Burns. L. A. Brunner,
M. C. Lawrence, E. B. Parker,
O. B. Chapman.

The Speaker, in the presence of the House, then signed said bill.

Mr. McCoy moved that the third reading of H. B. No. 21 be postponed until Monday next.

Which was agreed to.

The following bills were introduced and read the first time:

H. B. No. 90—By Mr. Newton: To provide for the removal of the seat

of justice of Mahoning county, Ohio, from the town of Canfield to the city of Youngstown, in said county.

H. B. No. 91—By Mr. Stone: To abolish the death penalty, and to amend the first section of an act entitled an act providing for the punishment of crimes, passed March 7, 1835. (S. & C., p. 401.)

H. B. No. 92—By Mr. Hatfield: To provide for the removal of the seat of justice of Wood county from the incorporated village of Bowling Green to that of Perrysburg, in said county, and to authorize the mayor and town council of the incorporated village of Perrysburg and the trustees of the township of Perrysburg, in said county, to donate and convey certain property in case of such removal.

H. B. No. 93—By Mr. Thompson of Montgomery: To amend section 1 of an act entitled an act to fix the rates of toll on turnpike and plank-road companies, passed and took effect March 16, 1865, and the several acts amendatory thereto.

H. B. No 94—By Mr. Norton: For the government and regulation of the Ohio Penitentiary, and to repeal an act entitled an act to regulate and govern the Ohio Penitentiary, passed April 1, 1867.

H. B. No. 95—By Mr. Johnson: To authorize the creation of a separate school district in Porter township, Scioto county, Ohio.

H. B. No. 96—By Mr. Munson: To amend section 1 of an act entitled an act to amend section 1 of an act entitled an act to amend an act to prevent the killing of wild deer, passed and took effect February 19, 1866.

H. B. No. 97—By Mr. Chapman of Meigs: To amend sections 3 and 6 of an act to regulate inclosures, and to provide against trespassing animals, passed January 17, 1840, and took effect August 1, 1840.

H. B. No. 98—By Mr. McLain: To amend section 47 of an act entitled an act for the reorganization and maintenance of common schools, passed May 1, 1873.

H. B. No. 99—By Mr. Hatfield: To amend section 6 of an act regulating inclosures, and to provide against trespassing animals, passed January 17, 1840, and took effect August 1, 1840.

H. B. No. 100—By Mr. Boyce: To provide for a revision of the general laws of the State.

H. B. No. 101—By Mr. Robb: To authorize the commissioners of Allen county to levy a tax to purchase and improve fair grounds for the agricultural society of said county.

H. B. No. 102—By Mr. Van Meter: To authorize the commissioners of Guernsey county to transfer to the townships of Beaver, Buffalo, Seneca and Wayne, in Noble county, certain railroad stocks held by said Guernsey county, and the payment to said townships of dividends received by said county on said stock; also, the taxes collected by said county on a certain amount of said railroad lying and being in said Noble county.

H. B. No. 103—By Mr. Miller: To amend section 338 of an act entitled an act to provide for the organization and government of municipal corporations, passed May 7, 1869.

H. B. No. 104—By Mr. Hodge: To amend section 11 of an act for the reorganization and maintenance of common schools, passed May 1, 1873.

H. B. No. 105—By Mr. Baker of Coshocton: To repeal an act entitled an act for the encouragement of Coshocton union school, passed March 19, 1851.

H. B. No. 106—By Mr. Scott: Supplementary to an act entitled an act to exempt specific articles of personal property from execution, passed April 16, 1873.

H. B. No. 107—By Mr. Beatty: To amend section 71 of an act for the reorganization and maintenance of common schools, passed May 1, 1873.

H. B. No. 108—By Mr. Sherrick: To prevent the use of ferrets to catch rabbits.

Mr. Haag submitted the following report:

The committee on Judiciary, to whom was referred H. B. No. 24, to amend section 2 of an act to exempt specific articles of personal property from execution, passed April 16, 1873, having had the same under consideration, report it back, and recommend that it be amended as follows:

In line fifteen, section 1, strike out the word "person," and insert the word "female." Also, strike out all after the word "same," in line fifteen of section 2, to and including the word "herself," in line sixteen of the same section. And thus amended, the committee recommend its engrossment and passage.

J. M. Haag, Thomas M. Robb,
J. Scott, J. M. Pattison,
Wm. W. Beatty, J. H. Heitmann.
W. P. Howland,

The amendments were agreed to, and the bill ordered to be engrossed for third reading to-morrow.

Mr. Haag submitted the following report:

The committee on Judiciary, to whom was referred H. J. R. No. 3, having had the same under consideration, report it back, and recommend that it be adopted.

J. M. Haag, Thomas M. Robb,
J. Scott, J. M. Pattison,
Wm. W. Beatty, J. H. Heitmann.
W. P. Howland,

The question being on the adoption of said resolution, the yeas and nays were ordered, and resulted—yeas 84, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Guernsey, Baker of Fairfield, Baker of Perry, Barnett, Barrett, Baskin, Bay, Beach, Beatty, Blake, Boyce, Brunner, Case, Carnahan, Chapman of Cuyahoga, Cole, Coler, Cooley, Conklin, Duncan, Eidson, Eshelman, Faxon, Geghan, Gowey, Gordon, Green, Haag, Harrison, Hatfield, Heitmann, Hill, Hoagland, Hodge, Holt, Howland, Huston, Inman, Johnson, Kemp, Lewis, Light, Loomis, Mack, Marx, Martin, McCloud, McCoy, McKinley, Mesloh, Miller, Moorehead, Morris, Munson, Murlin, Myers of Ashland, Myers of Fayette, Neff, Norton, Parker, Pattison, Poe, Ramsay, Ray, Richards, Richmond, Robb, Sater, Scott, Sheppard, Sherrick, Stone, Thompson of Lucas, Thompson of Montgomery, Tryon, Van Meter, Varley, Walker, Watson, Weible, West, White, Williams and Speaker—84.

So the resolution was adopted.

Mr. Robb submitted the following report:

The committee on Privileges and Elections, to whom was referred H. B. No. 14, to amend section 2 of an act entitled an act to regulate the election of state and county officers, passed May 3, 1852 (S. & C., p. 532), having had the same under consideration, report it back, with the following amendments, and recommend that when so amended it be engrossed and passed:

Strike out after the word "township," in the third line, the words "ward or voting precinct;" and insert in the fourth line, after the word

"district," "unless such township is now or shall hereafter be divided by law into more districts than one; the election to be held at such place in such township or district as the trustees in each township shall direct, and each ward of any city that is or may be divided into wards shall compose an election district."

T. M. ROBB, R. C. THOMPSON,
L. A. BRUNNER, J. F. GOWEY,
HIRAM MURLIN, SHELDEN NEWTON.

The amendments were agreed to, and the bill ordered to be engrossed for third reading to-morrow.

Mr. Hodge submitted the following report:

The committee on Municipal Corporations, to whom was referred H. B. No. 44, supplementary to an act passed April 29, 1863, entitled an act to create a board of fire commissioners in cities having a population exceeding ninety thousand inhabitants, having had the same under consideration, report it back, and recommend its engrossment and passage.

E. W. MILLER, G. H. EIDSON,
HIRAM MURLIN, GUIDO MARX,
MILT. MCCOY, O. J. HODGE.

Said bill was ordered to be engrossed for third reading Tuesday next.

Mr. Murlin submitted the following report:

The committee on Municipal Corporations, to whom was referred H. B. No. 43, to amend section 185 of the municipal code, having had the same under consideration, report it back, and recommend its passage.

E. W. MILLER, O. J. HODGE,
HIRAM MURLIN, G. H. EIDSON.
MILT. MCCOY,

Said bill was ordered to be engrossed, and read a third time on Tuesday next.

Mr. McCoy submitted the following report:

The committee on Agriculture, to whom was referred H. B. No. 37, to authorize the commissioners of Franklin county to levy a tax to pay for the improvements of the grounds of the agricultural society of said county, and its debts due for land purchased, having had the same under consideration, report it back, and recommend its passage.

M. MCCOY, T. E. SATER,
H. M. CHAPMAN, T. M. BAY,
D. C. RICHMOND, H. H. MACK,
J. F. THOMPSON, ROBERT BARNETT.
THOS. H. BASKIN,

Said bill was ordered to be engrossed, and read a third time Monday next.

Mr. Eshelman asked that the committee on Finance be relieved from the further consideration of the petition of Z. S. Vail and others, for the relief of J. G. Brugger, and that it be referred to the committee on the Judiciary.

Which was agreed to.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The following bills have been introduced in the Senate, and read the first time:

S. B. No. 30: For the prosecution and punishment of certain offenses therein named.

S. B. No. 31: To amend section 3 of an act entitled an act further providing for converting toll roads into free roads, passed May 3, 1873. (O. L., Vol. 70, p. 255.)

S. B. No. 32: To repeal an act entitled an act to authorize cities of the first class to build railroads, and to lease and operate the same, passed May 4, 1869. (Vol. 66 O. L, pp. 83–86.)

S. B. No. 33: To amend and repeal certain acts therein named.

S. B. No. 34: To authorize the trustees of Northfield township, Summit county, to levy a tax for the purchase of a hearse.

Attest: S. K. DONAVIN, *Clerk.*

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has indefinitely postponed H. J. R. No. 8, to protect the interests of wool-growers in the State of Ohio.

Attest: S. K. DONAVIN, *Clerk.*

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has passed the following bills, in which the concurrence of the House of Representatives is requested:

S. B. No. 1: To repeal certain acts therein named.

S. B. No. 11: To authorize the commissioners of Washington county to establish and construct a public road in Belpre township, of said county.

Attest: S. K. DONAVIN, *Clerk.*

Said bills were read the first time.

The Speaker presented sundry communications relative to appropriations required to be made by the General Assembly.

Which were severally referred to the committee on Finance.

Mr. Pearson submitted the following report:

The committee on Railroads and Telegraphs, to whom was referred H. B. No. 12, to secure pay to persons performing labor or furnishing materials in constructing railroads, having had the same under consideration, report it back, and recommend its engrossment and passage.

J. E. PEARSON, M. A. HOAGLAND,
J. N. OREN, T. M. BAY,
THOS. H. BASKIN, T. B. WILLIAMS.

Said bill was ordered to be engrossed, and read a third time Tuesday next.

Mr. West submitted the following report:

The committee on New Counties and County Affairs, to whom was referred the petition of John Lemer and others, asking for the reduction of salaries of officers, having had the same under consideration, report it back without recommendation, and ask that it be referred to the committee on Fees and Salaries.

S. A. WEST, JAMES WATSON,
SHELDEN NEWTON, R. RAMSAY,
J. B RAY, HIRAM MURLIN.
E. M. WALKER,

The recommendation of the committee was agreed to.

On motion of Mr. Case, the House proceeded to the election of a Speaker *pro tem.*

Mr. Case nominated Milton McCoy.

Mr. Hodge nominated J. F. Gowey.

The House then proceeded to vote *viva voce*, with the following result:

Those who voted for Mr. McCoy were—

Messrs. Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Baskin, Beach, Bell, Boyce, Brunner, Case, Cole, Conklin, Eshelman, Geghan, Gowey, Green, Hatfield, Heitmann, Hill, Hoagland, Huston, Inman, Kemp, Lewis, Light, McCloud, McKinley, Mesloh, Miller, Moorehead, Murlin, Myers of Ashland, Newell, Norton, Parker, Pattison, Pearson, Poe, Robb, Sater, Sheppard, Sherrick, Thompson of Montgomery, Van Meter, Walker, Watson, Weible West, White and Speaker—50.

Those who voted for Mr. Gowey were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Barrett, Bay, Beatty, Carnahan, Chapman of Cuyahoga, Coler, Cooley, Duncan, Eidson, Faxon, Harrison, Hodge, Howland, Johnson, Loomis, Mack, Marx, Martin, McCoy, McLain, Morris, Munson, Myers of Fayette, Neff, Ramsay, Ray, Richards, Richmond, Scott, Stone, Thompson of Lucas, Tryon and Varley —35.

Mr. McCoy, having received a majority of all the votes cast, was declared duly elected Speaker *pro tem.*

Mr. Scott moved that the resolution in regard to the printing of the report of the Secretary of State be taken up.

Which was agreed to.

Mr. Brunner moved that the resolution be referred to the committee on Retrenchment.

On which motion the yeas and nays were demanded, ordered, and resulted—yeas 27, nays 56, as follows:

Those who voted in the affirmative were—

Messrs. Baker of Coshocton, Baker of Fairfield, Barnett, Baskin, Beach, Beatty, Boyce, Cole, Conklin, Eshelman, Hatfield, Hoagland, Inman, Lewis, Mann, McKinley, Miller, Moorehead, Newell, Parker, Pattison, Poe, Robb, Sheppard, Thompson of Montgomery, and Watson—27.

Those who voted in the negative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Baker of Perry, Barrett, Bay, Bell, Case, Chapman of Cuyahoga, Chapman of Meigs, Coler, Cooley, Duncan, Eidson, Faxon, Geghan, Gowey, Harrison, Heitmann, Hill, Hodge, Holloway, Holt, Huston, Johnson, Kemp, Light, Loomis, Mack, Marx, Martin, McCoy, McLain, Mesloh, Munson, Myers of Ashland, Myers of Fayette, Neff, Norton, Pearson, Ramsay, Ray, Richards, Richmond, Sater, Scott, Sherrick, Stone, Thompson of Lucas, Tryon, Van Meter, Varley, Walker, Weible, West, White and Williams—56.

So the motion was disagreed to.

The question then being on the adoption of H. J. R. No. 10, the yeas and nays were demanded, ordered, and resulted—yeas 62, nays 27, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Barrett, Bay, Bell, Case, Chapman of Cuyahoga, Chapman of Meigs, Cole, Coler, Cooley, Duncan, Eidson, Faxon, Geghan, Gowey, Haag, Harrison, Heitmann, Holt, Howland, Johnson, Kemp, Lewis, Light, Loomis, Mack, Mann, Marx, Martin, McCoy, McKinley, McLain, Mesloh, Moorehead, Morris,

Munson, Murlin, Myers of Fayette, Neff, Newton, Norton, Pearson, Ramsay, Ray, Richards, Richmond, Scott, Sherrick, Stone, Thompson of Lucas, Tryon, Van Meter, Varley, Walker, Weible, West and Williams—62.

Those who voted in the negative were—

Messrs. Baskin, Beach, Beatty, Boyce, Brunner, Conklin, Eshelman, Gordon, Hatfield, Hill, Hoagland, Hodge, Huston, McCloud, Miller, Myers of Ashland, Newell, Parker, Pattison, Poe, Robb, Sater, Sheppard, Thompson of Montgomery, Watson, White and Speaker—27.

So the resolution was adopted.

Mr. Mesloh asked and obtained leave of absence until Tuesday next for Mr. Green.

Mr. Beatty offered for adoption the following resolution:

H. J. R. No. 15: WHEREAS, By joint resolution adopted by the General Assembly of the State of Ohio on the 18th day of March, 1870, the Board of Public Works was directed and required to appropriate and condemn, as easement for the use of the State, the right to flood the lands adjoining or near to the Lewistown reservoir, in the counties of Logan and Hardin, which were permanently, or at intervals, overflowed or injured by back-water or otherwise, by reason of the construction or maintenance of the said reservoir; and

WHEREAS, The parties whose lands were so appropriated and flooded have never received any compensation therefor; therefore

Resolved by the General Assembly of the State of Ohio, That it is hereby made the duty of said Board of Public Works, and they are hereby directed and required, to proceed forthwith to comply with the requirements of said joint resolution of March 18, 1870 (Vol. 67 O. L., p. 167); and the said board is hereby authorized to pay the expenses thereof out of its contingent fund, or of funds that may be appropriated for that purpose.

Mr. Scott moved that the resolution be laid on the table and ordered to be printed.

Which was agreed to.

Mr. Sherrick offered for adoption the following resolution:

H. R. No. 50: *Resolved*, That the committee on Geology and Mining be requested to take into consideration that part of the Governor's message which relates to the Geological Survey, and report to this House at an early day.

Which was disagreed to.

Mr. Kemp offered the following resolution:

H. J. R. No. 16: In view of our national centennial anniversary, and our national prosperity since the formation of our government, the great victories achieved, and the fundamental principles of equal and exact justice to all established by the Father of his Country, General George Washington,

Resolved by the General Assembly of the State of Ohio, That our Senators be and are hereby instructed, and our Representatives in Congress requested, to use their influence to adopt such measures as may seem best to complete the monument now in course of erection to the memory of General George Washington, the Father of his Country, at Washington, District of Columbia, by the Centennial Anniversary of A.D. 1876.

Resolved, That the Governor be and is hereby requested to transmit a copy of the preamble and resolution to each of our Senators and members in Congress of the United States.

Mr. Thompson of Lucas moved that the resolution be referred to the committee on Federal Relations.

Which was agreed to.

On motion of Mr. McKinley, the House adjourned.

Attest: THOMAS COUGHLIN, *Clerk.*

SATURDAY, JANUARY 24, 1874—10 o'clock A.M.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Clark.

The Journal was read and approved.

Mr. Inman presented the petition of the commissioners of Sandusky county, remonstrating against any law transferring the Western Reserve and Maumee road to the counties through which it passes.

Which was referred to the committee on Public Works.

Mr. Holloway presented the petition of Joseph Pritchet and 31 other citizens of Fairfield township, Columbiana county, asking that they be given an election precinct in the village of Middleton, in said township.

Which was referred to the committee on New Counties and County Affairs.

Mr. White presented the remonstrance of Abel Dewalt and 91 other citizens of Crawford county, against any modification of the present liquor laws.

Which was referred to the committee on Temperance.

Mr. Hatfield presented the petition of Andrew Roach and 3,254 other citizens of Wood county, for an act to enable the citizens of Wood county to vote on the question of removing the seat of justice from Bowling Green to Perrysburg, in said county.

Which was referred to the committee on New Counties and County Affairs.

Mr. West presented the petition of John G. Armstrong and 96 other citizens of Clermont county, asking the repeal of the law granting turnpike companies the right to increase rates of toll, and that such companies be restricted to their charter rates.

Which was referred to the committee on Turnpikes.

Mr. Williams presented the petition of John Bean and 94 other citizens of Delaware county, asking that the law taxing real estate for the construction of gravel roads (or pike) be so amended as to include personal property, moneys, credits, merchandise, and all other property that is now included in the tax-list for State and county purposes, and that said law take effect from and after its passage.

Which was referred to the committee on Turnpikes.

Mr. Weible asked and obtained leave of absence until Tuesday next for Mr. Sheppard.

Mr. Boyce submitted the following report:

The committee on Revision have examined, and found correctly engrossed, House Bills Nos. 14, 21 and 24.

GEO. W. BOYCE, WILLIAM M. MCKINLEY,
JOHNSON SHERRICK, E. B. PARKER.
JON. MORRIS,

Mr. Chapman of Cuyahoga presented the memorial of Charles Whittlesy in regard to the encouragement of the cultivation of forest trees.

Which was laid on the table and ordered to be printed.

Mr. Thompson of Lucas presented the petition of Mr. Gleson and 25 other citizens of Toledo, Lucas county, to amend the law for incorporated companies of Ohio.

Which was referred to the committee on Corporations other than Municipal.

The following bills were read the second time:

H. B. No. 62: To authorize the Board of Public Works to lower three or more culverts along the National road, between the villages of Etna and Wagram, in Licking county.

Referred to the committee on Public Works.

H. B. No. 63: To amend section 3 of an act entitled an act to prevent collisions on railroads within the State of Ohio, passed March 24, 1860.

Referred to the committee on Railroads and Telegraphs.

H. B. No. 64: To amend an act entitled an act to amend an act entitled an act to amend section 7 of an act further to prescribe the duties of county commissioners, passed April 8, 1856, as amended February 26, 1857, passed May 7, 1869, and amended and passed March 13, 1872.

Referred to the committee on Judiciary.

H. B. No. 65: To amend sections 1 and 2 of the act to regulate and govern the Ohio Penitentiary, passed and took effect April 1, 1867.

Referred to the committee on Penitentiary.

H. B. No. 66: To authorize the board of education of Huntington township, Brown county, to levy a special tax to pay an existing indebtedness of school building fund.

Referred to the committee on Common Schools and School Lands.

Mr. Thompson of Lucas moved that the second reading of H. B. No. 67 be postponed until Monday next.

Which was agreed to.

The second reading of bills was resumed.

H. B. No. 68: For the protection of physicians and surgeons against unjust and malicious prosecutions for alleged malpractice.

Referred to the committee on Medical Colleges and Societies.

S. B. No. No. 1: To repeal certain acts therein named.

Referred to the committee on the Judiciary.

S. B. No. 11: To authorize the commissioners of Washington county to establish and construct a public road in Belpre township of said county.

Referred to the committee on the Judiciary.

H. B. No. 14, to amend section 2 of an act entitled an act to regulate the election of State and county officers, passed May 3, 1852, was read the third time.

Mr. Thompson of Lucas moved that the further consideration of said bill be postponed until next Tuesday.

Mr. Gowey moved that the bill be printed, and that it lay over until next Tuesday.

Mr. Scott moved that the bill be laid on the table.

Which was disagreed to.

Mr. Gowey's motion to print and postpone until next Tuesday was disagreed to.

Mr. Thompson's motion to postpone until next Tuesday was agreed to.

H. B. No. 24, to amend section 2 of an act to exempt specific articles of personal property from execution, passed April 16, 1873, and took effect on its passage, was read the third time.

Mr. Morris moved that the bill be committed to a select committee of one, with instructions to strike out all that relates to physicians.

Which was disagreed to.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 75, nays 13, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Baker of Coshocton, Baker of Perry, Barnett, Barrett, Baskin, Beatty, Boyce, Brunner, Case, Chapman of Cuyahoga, Chapman of Meigs, Cole, Coler, Cooley, Duncan, Eshelman, Faxon, Gowey, Gordon, Green, Haag, Hatfield, Heitmann, Hill, Hoagland, Hodge, Holloway, Holt, Howland, Inman, Johnson, Kemp, Lewis, Light, Mack, Mann, Marx, Martin, McCoy, McKinley, McLain, Mesloh, Miller, Moorehead, Murlin, Myers of Ashland, Myers of Fayette, Neff, Nelson, Newton, Norton, Pattison, Pearson, Poe, Ramsay, Ray, Richards, Richmond, Robb, Scott, Sherrick, Stone, Thompson of Lucas, Thompson of Montgomery, Tryon, Van Meter, Varley, Walker, Weible, West, White, Williams and Speaker—75.

Those who voted in the negative were—

Messrs. Archer, Baker of Fairfield, Beach, Conklin, Eidson, Harrison, Huston, Loomis, Morris, Munson, Newell, Parker and Sater—13.

So the bill passed.

Mr. Hodge moved to amend the title of said bill by striking out of said title all after "1873."

Which was agreed to.

The title, as amended, was then agreed to.

The following bills were introduced, and read the first time:

H. B. No. 109—By Mr. Kemp: To amend an act entitled an act to amend an act entitled an act to regulate the standard per bushel of stone coal, passed April 29, 1872.

H. B. No. 110—By Mr. Chapman of Cuyahoga: For the protection and increase of forest trees.

H. B. No. 111—By Mr. Holt: To provide for the organization, supervision and maintenance of separate schools for colored youths.

H. B. No. 112—By Mr. Hatfield: To appropriate five hundred dollars for the benefit of the blind, to purchase books, etc.

H. B. No. 113—By Mr. Faxon; To authorizs the trustees of Avon township, Lorain county, to levy a tax for certain purposes therein named.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has adopted the following joint resolution, in which the concurrence of the House of Representatives is requested:

S. J. R. No. 11: Directing inquiry into the expenditures in the construction of the Central Lunatic Asylum.

Attest: S. K. DONAVIN, *Clerk.*

Mr. Eshelman moved the following as an amendment, as the 9th clause: "Whether, contrary to law regulating the erection of public buildings, over-estimates have been made, and money illegally paid to contractors, in such a manner as clearly to bring the officials making such estimates, and paying for the same, within the law which punishes such crime with fine and imprisonment."

Which was agreed to.

Mr. Haag moved that the blank in the resolution be filled with the word "three."

Mr. Holloway moved to fill the blank with the word "four."

Mr. Mann moved to fill the blank with the word "five."

Which was disagreed to.

Mr. Holloway's motion to fill the blank with the word "four" was disagreed to.

The question then recurring upon Mr. Haag's motion to fill the blank with the word "three," it was agreed to.

Mr. Scott then moved to lay the resolution on the table.

Which was agreed to.

Indefinite leave of absence was asked and obtained for Messrs. Baker of Perry and Chapman of Cuyahoga on account of sickness.

Mr. Brunner moved that the House do now adjourn.

On which motion the yeas and nays were demanded, ordered, and resulted—yeas 26, nays 51, as follows:

Those who voted in the affirmative were—

Messrs. Baker of Coshocton, Brunner, Chapman of Cuyahoga, Duncan, Eshelman, Faxon, Geghan, Hatfield, Hill, Hodge, Holloway, Inman, Johnson, Martin, Miller, Munson, Nelson, Newell, Ramsay, Robb, Sater, Scott, Weible, West, White and Speaker—26.

Those who voted in the negative were—

Messrs. Archer, Armstrong of Guernsey, Baker of Fairfield, Barnett, Baskin, Beach, Boyce, Case, Cole, Coler, Cooley, Conklin, Eidson, Gowey, Harrison, Heitmann, Hoagland, Holt, Huston, Kemp, Lewis, Light, Loomis, Mack, Mann, Marx, McCloud, McCoy, McKinley, McLain, Mesloh, Moorehead, Myers of Ashland, Myers of Fayette, Neff, Newton, Norton, Parker, Pattison, Pearson, Poe, Ray, Richmond, Sherrick, Stone, Thompson of Lucas, Thompson of Montgomery, Van Meter, Varley, Walker and Williams—51.

So the House refused to adjourn.

Mr. Pearson moved that the House take a recess.

On which motion the yeas and nays were demanded, ordered, and resulted—yeas 52, nays 25, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Armstrong of Guernsey, Baker of Fairfield, Barnett, Baskin, Beach, Beatty, Case, Cole, Coler, Cooley, Conklin, Duncan, Eidson, Eshelman, Geghan, Hatfield, Heitmann, Hoagland, Holloway, Holt, Inman, Lewis, Light, Mack, Mann, McCoy, McKinley, McLain, Mesloh, Miller, Moorehead, Myers of Ashland, Myers of Fayette, Neff, Norton, Parker, Pattison, Pearson, Poe, Ramsay, Ray, Robb, Sherrick, Thompson of Lucas, Thompson of Montgomery, Varley, Walker, Watson, Weible and White—52.

Those who voted in the negative were—

Messrs. Baker of Coshocton, Barnett, Brunner, Chapman of Cuyahoga, Chapman of Meigs, Faxon, Gowey, Green, Harrison, Hill, Hodge, Johnson, Marx, Martin, McCloud, Morris, Munson, Nelson, Newton, Richmond, Sater, Scott, Stone, West and Williams—25.

So the motion was agreed to, and the House took a recess.

HALF-PAST TWO O'CLOCK P.M.

The House was called to order by Mr. McCoy, Speaker *pro tem.*

Mr. Baker of Fairfield submitted the following report:

The committee on Fees and Salaries, to whom was referred H. B. No. 47, to amend section 92 of an act entitled an act of the jurisdiction and procedure before justices of the peace and constables in civil courts,

passed March 14, 1853, having had the same under consideration, report it back, and recommend its engrossment and passage.

GEO. S. BAKER,	LEBBEUS COLE,
M. A. HOAGLAND,	WM. W. BEATTY,
WM. T. CONKLIN,	GEO. JOHNSON.

Said bill was ordered to be engrossed, and read the third time Tuesday next.

Mr. Neff submitteed the following report:

The committee on Public Roads and Highways, to whom was referred H. B. No. 22, to amend section 24 of an act relating to roads and highways, passed March 9, 1868, having had the same under consideration, report it back, with the following amendments, and recommend its passage: Strike out the words "15th day of October," in line 11 of section 1, and insert the words the "1st day of November;" and strike out the word "ten," in in line 12 of section 1, and insert the word "five."

ROBERT BARNETT,	J. A. MOOREHEAD,
LEBBEUS COLE,	B. NEFF.
E. A. STONE,	

The amendments were agreed to, and the bill ordered to be engrossed for third reading Tuesday next.

Mr. Neff submitted the following report:

The committee on Public Roads and Highways, to whom was referred H. B. No. 20, to amend section 5 of an act entitled an act relating to roads and highways, passed March 9, 1868, having had the same under consideration, report it back, and recommend its indefinite postponement.

ROBERT BARNETT,	E. P. NEWELL,
LEBBEUS COLE,	J. A. MOOREHEAD,
E. A. STONE,	B. NEFF.

On motion of Mr. Thompson of Lucas, the further consideration of said bill was postponed until Monday next.

Mr. Murlin submitted the following report:

The committee on New Counties and County Affairs, to whom was referred H. B. No. 58, to amend an act entitled an act to establish boards of control and to prescribe their duties, passed March 13, 1872, and the act amendatory of sections 2, 12 and 13 of said act, passed March 21, and to repeal said acts and the act passed May 5, 1872, having had the same under consideration, report it back, and recommend its passage.

HIRAM MURLIN,	SHELDEN NEWTON,
E. M. WALKER,	S. A. WEST,
R. RAMSAY,	J. B. RAY.

Said bill was ordered to be engrossed for third reading Tuesday next.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate requests the return of S. J. R. No. 11, directing inquiry into the expenditures in the construction of the Central Lunatic Asylum.

Attest: S. K. DONAVIN, *Clerk.*

On motion of Mr. Scott, the request of the Senate was acceded to, and the resolution returned.

Mr. Boyce submitted the following report:

The committee on Finance, to whom was referred H. J. R. No. 9, in

reference to the purchase of fifty copies of Swan and Critchfield's Statutes for the use of the General Assembly, having had the same under consideration, report it back without recommendation.

E. B. Eshelman, R. Hill,
Geo. W. Boyce, J. Scott,
J. M. Poe, Thos. E. Duncan.

The question being on the adoption of said resolution,

Mr. Gordon moved to amend by striking out "fifty" and inserting "ten."

A division of the question was called for, and the question being on striking out "fifty," it was disagreed to.

Mr. Baskin moved that the resolution be laid on the table.

On which motion the yeas and nays were demanded, ordered, and resulted—yeas 44, nays 29, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Barnett, Barrett, Baskin, Beach, Boyce, Case, Cole, Coler, Cooley, Conklin, Geghan, Gordon, Hatfield, Heitmann, Hill, Hoagland, Howland, Inman, Johnson, Kemp, Lewis, Light, McCloud, McKinley, Mesloh, Miller, Moorehead, Murlin, Myers of Ashland, Nelson, Norton, Parker, Pattison, Poe, Robb, Sherrick, Thompson of Montgomery, Tryon, Van Meter, Varley, Watson, Weible and White—44.

Those who voted in the negative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Beatty, Bell, Chapman of Meigs, Eidson, Faxon, Gowey, Haag, Harrison, Loomis, Mack, Mann, Martin, McCoy, McLain, Morris, Munson, Myers of Fayette, Neff, Ramsay, Ray, Richards, Richmond, Scott, Stone, Walker, Williams and Speaker—29.

So the resolution was laid on the table.

Mr. McCloud asked and obtained leave of absence for the committee on Military Affairs and Soldiers' Orphans' Home until Tuesday next.

Mr. Morris moved that the House do now adjourn.

On which motion the yeas and nays were demanded, ordered, and resulted—yeas 25, nays 39, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Armstrong of Guernsey, Baskin, Beach, Chapman of Meigs, Eidson, Hatfield, Hill, Johnson, Loomis, Mack, McCloud, Mesloh, Miller, Morris, Murlin, Myers of Ashland, Ramsay, Richards, Richmond, Robb, Thompson of Montgomery, Weible and Speaker—25

Those who voted in the negative were—

Messrs. Baker of Fairfield, Barnett, Bell, Boyce, Case, Cole, Coler, Conklin, Faxon, Gowey, Haag, Heitmann, Hoagland, Kemp, Lewis, Light, Mann, Martin, McCoy, McKinley, McLain, Moorehead, Munson, Myers of Fayette, Neff, Nelson, Norton, Parker, Pattison, Poe, Ray, Sherrick, Stone, Thompson of Lucas, Van Meter, Varley, Walker, White and Williams—39.

So the House refused to adjourn.

Mr. Walker submitted the following report:

The committee on New Counties and County Affairs, to whom was referred H. B. No. 60, to authorize the county commissioners of Ross county to transfer any sum not to exceed $25,000 from the bridge fund or surplus funds of said county to the infirmary building fund, and to authorize said commissioners to issue bonds to the amount of $30,000 to borrow

money to complete the county infirmary, having had the same under consideration, report it back, and recommend that it pass.

E. M. WALKER, HIRAM MURLIN,
SHELDEN NEWTON, J. B. RAY.
S. A. WEST,

Mr. Watson submitted the following minority report:

A minority of the committee on New Counties and County Affairs, to whom was referred H. B. No. 60, to authorize the commissioners of Ross county to transfer any sum, not to exceed $25,000, from the bridge fund or surplus funds of said county to the infirmary building fund, and to authorize said commissioners to issue bonds to the amount of $30,000 to borrow money for the purpose of completing the county infirmary, having had the same under consideration, report it back, with the following amendments, and recommend its passage:

"Section 4. That said proposition to transfer $25,000 of bridge funds to the infirmary building fund, and also the proposition to borrow $30,000 and issue county bonds bearing eight per cent. interest therefor, shall first be submitted to a vote of the qualified electors of said county."

JAMES WATSON,
RICHARD RAMSAY.

The question being on the adoption of the amendment offered by the minority, it was disagreed to.

Said bill was then ordered to be engrossed for third reading on Wednesday next.

Mr. Robb moved that the House do now adjourn.

On which motion the yeas and nays were demanded, ordered, and resulted—yeas 34, nays 36, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Armstrong of Guernsey, Baker of Fairfield, Baskin, Beach, Case, Eidson, Geghan, Hatfield, Holloway, Inman, Johnson, Loomis, Mack, McCloud, McKinley, Mesloh, Miller, Munson, Murlin, Myers of Ashland, Myers of Fayette, Nelson, Parker, Ramsay, Richmond, Robb, Thompson of Montgomery, Varley, Walker, Weible, White and Speaker—34.

Those who voted in the negative were—

Messrs. Barnett, Bell, Boyce, Chapman of Meigs, Cole, Coler, Conklin, Gowey, Gordon, Haag, Harrison, Heitmann, Hill, Hoagland, Howland, Kemp, Lewis, Light, Mann, Marx, Martin, McCoy, McLain, Moorehead, Morris, Neff, Norton, Pattison, Poe, Ray, Richards, Scott, Sherrick, Stone, Thompson of Lucas, and Van Meter—36.

So the House refused to adjourn.

Mr. McCloud offered for adoption the following resolution:

H. R. No. 52: *Resolved*, That the Speaker of the House is hereby authorized to draw his warrant on the State Treasurer for fifteen dollars, in favor of Willie Cool, for services rendered to the House of the 61st General Assembly.

On which the yeas and nays were ordered, and resulted—yeas 48, nays 16, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Armstrong of Guernsey, Baker of Fairfield, Beach, Beatty, Bell, Chapman of Meigs, Cole, Coler, Cooley, Eidson, Faxon, Geghan, Gowey, Harrison, Heitmann, Johnson, Kemp, Lewis, Loomis, Mack, Mann, Marx, Martin, McCloud, McLain, Morris,

Munson, Myers of Fayette, Neff, Pattison, Poe, Ramsay, Ray, Richards, Richmond, Robb, Scott, Stone, Thompson of Lucas, Van Meter, Varley, Walker, Weible, White, Williams and Speaker—48.

Those who voted in the negative were—

Messrs. Baskin, Conklin, Gordon, Hill, Hoagland, Light, Mesloh, Moorehead, Murlin, Myers of Ashland, Nelson, Norton, Parker, Sherrick, Thompson of Montgomery, and Tryon—16.

So the resolution was lost.

On motion of Mr. Richmond, the House adjourned.

Attest: THOMAS COUGHLIN, *Clerk.*

MONDAY, JANUARY 26, 1874—10 o'clock A.M.

The House met pursuant to adjournment.

Prayer by Rev. Mr. McDonald.

The Journal was read and approved.

Leave of absence was asked and obtained until Monday next for Mr. Blake.

Mr. Murlin presented the memorial of J. N. Hetzler and eleven other physicians of Mercer county, asking for the passage of an act to protect physicians against unjust and malicious prosecutions for alleged malpractice.

Referred to the committee on Medical Colleges and Societies.

Mr. Weible presented the petition of J. A. Jenkens and seventy other citizens of Van Wert county, for a law reducing salaries of county and district officers.

Referred to the committee on Fees and Salaries.

Mr. Martin presented the petition of the board of education and one hundred and sixty other citizens of Lyme township, Huron county, for the relief of Joseph S. Pierce, late treasurer of said township.

Referred to the committee on Common Schools and School Lands.

Mr. Murlin presented the petition of J. N. Hetzler and seventy-one other citizens of Mercer county, asking that the Legislature do not make any appropriation for the *per diem* of members of the Constitutional Convention for the fourteen days spent at home during the holidays.

Referred to the committee on Finance.

The following bill was read the second time by its title, the constitutional rule having been dispensed with by unanimous consent:

H. B. No. 67: To more effectively provide for locating, establishing and constructing ditches, drains and water-courses in townships, and to repeal certain acts therein named.

Referred to the committee on Ditches, Drains and Water-courses.

The following bills were read the second time:

H. B. No. 69: For the relief of Joseph S. Pierce.

Referred to the committee on Common Schools and School Lands.

H. B. No. 70: To amend section 2 of an act to restrain from running at large certain animals therein named, passed April 13, and took effect May 1, 1865.

Referred to the committee on Agriculture.

H. B. No. 71: To amend sections 5 and 6 of the act entitled an act for the inspection of certain articles therein named.

Referred to the committee on Agriculture.

H. B. No. 73: To amend sections 93 and and 96 of an act entitled an act for the reorganization and maintenance of common schools, passed May 1, 1873.

Referred to the committee on Common Schools and School Lands.

H. B. No. 74: To amend section 2 of an act entitled an act supplementary to an act entitled an act to preserve the purity of elections, passed May 5, 1868.

Referred to the committee on Privileges and Elections.

H. B. No. 75: Supplementary to an act entitled an act to incorporate loan and savings associations, passed and took effect February 26, 1873.

Referred to the committee on Finance.

H. B. No. 76: To provide for the punishment of the careless use of fire-arms.

Referred to the committee on the Judiciary.

H. B. No. 77: To amend section 302 of an act entitled an act to provide for the organization and government of municipal corporations, passed May 7, 1869.

Mr. Boyce moved that the bill be referred to a select committee of ten.

Mr. Marx moved that the bill be committed to the committee on Municipal Affairs.

Which was agreed to, and the bill so referred.

H. B. No. 78: To authorize the trustees of Delaware township, Delaware county, to borrow money to assist in building a bridge.

Referred to the committee on Common Schools and School Lands.

H. B. No. 79: For the repeal of an act entitled an act for the disposition of unclaimed costs, passed May 5, 1873.

Referred to the committee on the Judiciary.

H. B. No. 80: To amend section 27 of an act relating to roads and highways, as amended by the act passed January 6, 1873.

Referred to the committee on Roads and Highways.

H. B. No. 81: To repeal section 4 of an act entitled an act supplementary to an act entitled an act to provide for the settlement of the estates of deceased persons.

Referred to the committee on the Judiciary.

On motion of Mr. Mack, the second reading of H. B's Nos. 82, 83 and 84 was postponed until to-morrow.

Mr. Boyce submitted the following report:

The committee on Revision have examined, and found correctly engrossed, S. B's Nos. 12, 37, 43 and 44.

GEO. W. BOYCE, JOHNSON SHERRICK,
JON. MORRIS, E. B. PARKER.
WILLIAM M. MCKINLEY,

On motion of Mr. Lewis, the third reading of H. B. No. 21 was postponed until to-morrow.

On motion of Mr. McCoy, the third reading of H. B. No. 20 was postponed until Wednesday.

H. B. No. 37, to authorize the commissioners of Franklin county, Ohio, to levy a tax to pay for the improvement of the grounds of the agricultural society of said county, and its debts due for lands purchased, was read the third time.

Mr. McCoy moved that the House reconsider the engrossment of said bill.

Which was agreed to, and the bill recommitted to the committee on Agriculture.

The following bill was introduced, and read the first time:

H. B. No. 114—By Mr. Scott: Providing for printing and distributing the Journals of the General Assembly and Laws and Public Documents, and to repeal certain acts therein named.

Mr. Brunner submitted the following report:

The committee on Public Printing, to whom was referred H. R. No. 42, relative to printing for members, having had the same under consideration, report it back, with the following amendment: "Strike out the words "a special committee of three," and in lieu thereof insert "the standing committee on Public Printing." With this amendment, they recommend the passage of the resolution.

L. A. BRUNNER, J. B. RAY,
E. B. ESHELMAN, E. S. HOLLOWAY.
J. W. NELSON,

The amendment was agreed to.

Mr. McCoy offered the following amendment to the resolution:

Insert after the word "member," and before the word "shall," the words "not provided for by existing contracts."

Which was agreed to.

The resolution was then adopted.

Mr. Brunner submitted the following report:

The committee on Public Printing, to whom was referred H. J. R. No. 11 and H. J. R. No. 13, having had the same under consideration, report them back, and recommend that they be indefinitely postponed.

L. A. BRUNNER, J. B. RAY,
E. B. ESHELMAN, E. S. HOLLOWAY.
J. W. NELSON,

The recommendations of the committee were agreed to, and the resolutions indefinitely postponed.

Mr. West submitted the following report:

The committee on New Counties and County Affairs, to whom was referred the petition of C. C. Young and others, asking to have Liberty Centre voting precinct, of Liberty township, county of Henry, available for all purposes, having had the same under consideration, report it back, and say that they believe the prayer of the petitioners has been granted by an act passed April 29, 1872 (Vol. 69 O. L., p. 202), and ask to be relieved from further consideration of the petition.

S. A. WEST, R. RAMSAY,
HIRAM MURLIN, SHELDEN NEWTON,
E. M. WALKER, J. B. RAY.

The report was agreed to, and the committee discharged.

Mr. Baker of Fairfield submitted the following report:

The committee on Fees and Salaries, to whom was referred H. B. No. 1, to prohibit payment of per diem to members and officers of the General Assembly while absent, and to repeal an act entitled an act supplemental to the act entitled an act to fix the compensation of members and officers of the General Assembly, passed April 2, 1866, passed January 20, 1869, having had the same under consideration, report it back without recommendation.

M. A. HOAGLAND, WM. T. CONKLIN,
WM. W. BEATTY, LEBBEUS COLE,
GEO. S. BAKER, GEO. JOHNSON.

Mr. Scott moved to recommit the bill to the committee on Finance.

Which was agreed to.

On motion of Mr. Mack, the House took a recess.

HALF-PAST TWO O'CLOCK P.M.

Mr. Beatty submitted the following report:

The committee on Fees and Salaries, to whom was referred H. B. No. 19, to amend sections 1 and 2 of an act entitled an act regulating the fees of witnesses in civil and criminal cases, passed March 16, 1852, having had the same under consideration, report it back, with the following amendments:

In line seven, after the word "dollar," strike out the words "and fifty cents."

In section 2, line six, strike out the words "and fifty cents."

GEO. S. BAKER, WM. W. BEATTY,
WM. T. CONKLIN, LEBBEUS COLE,
M. A. HOAGLAND, GEO. JOHNSON.

The question being on agreeing to the amendments reported by the committee,

Mr. McCoy demanded a division of the question.

The question then being on striking out fifty cents in the 7th line, the yeas and nays were demanded, ordered, and resulted—yeas 12, nays 58, as follows:

Those who voted in the affirmative were—

Messr. Baker of Fairfield, Cole, Conklin, Haag, Hoagland, Howland, Johnson, Marx, McLain, Pattison, Scott and Speaker—12.

Those who voted in the negative were—

Messrs. Archer, Armstrong of Belmont, Barnett, Barrett, Baskin, Bell, Boyce, Brunner, Case, Chapman of Meigs, Duncan, Eidson, Eshelman, Faxon, Gowey, Harrison, Hatfield, Heitmann, Hill, Holloway, Holt, Huston, Inman, Kemp, Lewis, Light, Loomis, Mack, Martin, McCoy, Mesloh, Moorehead, Morris, Munson, Murlin, Myers of Ashland, Nelson, Newton, Norton, Parker, Pearson, Poe, Ramsay, Ray, Richards, Richmond, Robb, Sater, Sherrick, Stone, Thompson of Lucas, Thompson of Montgomery, Tryon, Van Meter, Varley, Weible, West and White—58.

So the House refused to strike out.

The question then being on striking out fifty cents in the sixth line of the second section, the yeas and nays were demanded, ordered, and resulted—yeas 17, nays 56, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Baker of Fairfield, Beach, Beatty, Cole, Conklin, Conkright, Haag, Hoagland, Howland, Johnson, Mann, Marx, McLain, Pattison, Scott and Speaker—17.

Those who voted in the negative were—

Messrs. Baskin, Bell, Boyce, Brunner, Case, Chapman of Meigs, Coler, Duncan, Eidson, Eshelman, Faxon, Gowey, Harrison, Hatfield, Heitmann, Hill, Holloway, Holt, Huston, Inman, Kemp, Lewis, Light, Loomis, Mack, Martin, McCoy, Mesloh, Moorehead, Morris, Munson, Murlin, Myers of Ashland, Neff, Nelson, Newton, Norton, Pearson, Poe, Ramsay, Ray, Richards, Richmond, Robb, Sater, Sherrick, Stone, Thompson of Lucas, Thompson of Montgomery, Tryon, Van Meter, Varley, Weible, West, White and Williams—56.

So the House refused to strike out.

The bill was then engrossed at the Clerk's desk, and read the third time.

Mr. Baker of Fairfield moved to refer the bill to a select committee of one, with instructions to amend by striking out all after the word "record," in line five, section 1, to the word "to," in line six; and in line twelve,

after the word "town," insert "or before any other officer authorized to take depositions under a subpœna."

Which was disagreed to.

The question being "Shall the bill pass?" the yeas and nays were demanded, ordered, and resulted—yeas 63, nays 13, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Baker of Fairfield, Baker of Perry, Barnett, Barrett, Baskin, Bay, Beach, Beatty, Bell, Boyce, Brunner, Case, Chapman of Meigs, Cole, Coler, Conklin, Duncan, Eidson, Eshelman, Faxon, Gowey, Hatfield, Heitmann, Hill, Hoagland, Howland, Huston, Inman, Kemp, Lewis, Light, Loomis, Marx, Martin, McLain, Mesloh, Moorehead, Murlin, Myers of Ashland, Neff, Nelson, Newell, Norton, Parker, Poe, Ray, Richmond, Robb, Sater, Scott, Sheppard, Sherrick, Stone, Thompson of Lucas, Thompson of Montgomery, Tryon, Van Meter, Varley, Weible, West and Williams—63.

Those who voted in the negative were—

Messrs. Armstrong of Guernsey, Harrison, Holloway, Holt, Johnson Mack, Mann, McCoy, Munson, Newton, Ramsay, Richards and White—13.

So the bill passed. The title was agreed to.

Mr. Myers submitted the following report:

The committee on Insurance, to whom was referred H. B. No. 2, to amend section 2 of an act amendatory of and supplementary to an act to regulate insurance companies doing an insurance business in the State of Ohio, passed April 24, 1873, having had the same under consideration, report it back, and recommend its passage.

BENJ. MYERS, C. C. ARCHER,
E. MARTIN, WM. BELL, Jr.
E. S. HOLLOWAY,

Said bill was ordered to be engrossed, and read the third time to-morrow.

Mr. Lewis, on leave, introduced the following bill, which was read the first time:

H. B. No. 115: To authorize the county commissioners of Tuscarawas county to borrow money and issue bonds to pay off an existing indebtedness contracted in the erection of bridges.

Mr. Lewis moved to dispense with the constitutional rule, in order that the bill be read a second time now by its title.

Which was disagreed to.

Mr. McLain, on leave, introduced the following bill, which was read the first time:

H. B. No. 116: To provide for the appointment of an inspector of mines, and supplementary to an act entitled an act regulating coal mines and the working thereof, passed April 29, 1872.

Mr. Inman, on leave, presented the remonstrance of Daniel Mook and other citizens of York township, Sandusky county, against the passage of any law releasing J. G. Brugger, township treasurer of York township, Sandusky county.

Which was referred to the committee on Judiciary.

Mr. Varley, on leave, offered the following resolution:

H. R. No. 53: *Resolved*, That Rev. E. C. Wines, United States Commissioner of Prison Reform, be tendered the use of this hall for the purpose of delivering a lecture on crimes and prison reform, Thursday evening of this week.

Mr. White gave notice of a desire to discuss said resolution; so, under the rule, it was laid on the table.

Mr. Eshelman offered the following resolution, which was adopted:

H. R. No. 54: *Resolved*, That the committee on Insane Asylums are hereby respectfully requested to make due examination and report to the House whether the following estimates, which are submitted by the Northern Ohio Lunatic Asylum, located at Newburg, cannot be very materially reduced without detriment to the patients therein; and, if so, in what particulars can they be reduced:

NORTHERN OHIO LUNATIC ASYLUM,
NEWBURG, OHIO, *January* 16, 1874.

To the Auditor of State:

SIR: I hand you below a statement of estimates for appropriations required to be made by the General Assembly, agreeably to your request.

JOHN C. SHEETS, *Steward.*

Current expenses	$78,000 00
Ordinary repairs	6,000 00
Officers' salaries	3,457 60
Replenishing library	400 00
Books and pictures for new wards	500 00
Building bridge (in addition to $600 appropriated)	600 00
Removing and rebuilding green-house and fence	2,000 00
Completing the rebuilding of asylum and gas-works	285,000 00
Additional cost of building gas-works	10,000 00
Heating rear wings, covering steam pipes, etc	13,000 00
Heating front wings and administration building	29,000 00
Furnishing rear wings	14,000 00
Furnishing front and administration building	40,000 00
Moral Instructor—library	400 00
	$482,357 60

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has adopted the following joint resolution, in which the concurrence of the House of Representatives is requested:

S. J. R. No. 11: Directing inquiry into the expenditures in the construction of the Central Lunatic Asylum.

Attest: S. K. DONAVIN, *Clerk.*

Mr. Scott moved to amend said resolution as follows:

Strike out the words "January 1st, 1870," and insert the words "the burning of said asylum," in item 6th.

Strike out the words "November 15th, 1869," in item 7th, and insert the words "the burning of said asylum."

"10th. Whether the contractors have faithfully complied with and carried out their contracts with the State; and, if not, wherein they have failed."

Said amendments were agreed to.

Mr. Eshelman moved that his amendment offered on Saturday to S. J. R. No. 11 be taken from the table.

Which was agreed to.

Mr. Scott moved that the amendment be amended by striking out all after and including the words "so as."

Which was agreed to.

The question being on agreeing to Mr. Eshelman's amendment, as amended by the House, it was agreed to.

Mr. McLain moved to add to item 6th the words: "and whether there has been any corruption on the part of the trustees, or any other person, in relation to the building or removal of said asylum."

Which was agreed to.

The question then being on agreeing to the resolution, as amended, the yeas and nays were demanded, ordered, and resulted—yeas 63, nays 13, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Baker of Fairfield, Baker of Perry, Barnett, Barrett, Baskin, Bay, Beatty, Bell, Boyce, Brunner, Case, Chapman of Meigs, Cole, Coler, Conklin, Eidson, Eshelman, Faxon, Gowey, Harrison, Hatfield, Heitmann, Holloway, Holt, Huston, Inman, Kemp, Lewis, Light, Loomis, McCoy, McLain, Mesloh, Moorehead, Morris, Munson, Murlin, Myers of Ashland, Neff, Nelson, Newton, Norton, Parker, Pearson, Poe, Ramsay, Ray, Richards, Richmond, Robb, Sater, Sheppard, Sherrick, Stone, Thompson of Lucas, Thompson of Montgomery, Tryon, Van Meter, Varley, Weible, West and White—63.

Those who voted in the negative were—

Messrs. Armstrong of Guernsey, Beach, Duncan, Haag, Hill, Hoagland, Johnson, Mann, Marx, McCoy, Pattison, Ramsay and Scott—13.

So the resolution was adopted.

Mr. Sater submitted the following report:

The committee on Retrenchment, to whom was referred H. J. R. No. 4, relative to the passage of such laws and making such appropriations as are absolutely necessary before the adoption or rejection of the new constitution, having had the same under consideration, report the following substitute and recommend its adoption:

Resolved by the General Assembly of the State of Ohio, That in view of the possible adoption of a new constitution for the State by the citizens of Ohio during the present year, which may render many changes in the statutes of the State necessary, and in accordance with the suggestion of Governor William Allen in his inaugural address, it is not expedient now to enter upon extensive changes in existing laws; therefore

Resolved, That neither branch of this General Assembly shall adjourn during the session except from day to day, and that as soon as the necessary appropriations can be made, and such enactments passed as are imperatively demanded by the wants of the people, this Legislature will adjourn.

R. Hill, J. Kemp,
Benj. Inman, T. E. Sater.

Said amendments were agreed to.

The question being on the adoption of the resolution, the yeas and nays were ordered, and resulted—yeas 75, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Baker of Fairfield, Baker of Perry, Barnett, Baskin, Bay, Beach, Beatty, Bell, Boyce, Brunner, Case, Chapman of Meigs, Cole, Coler, Conklin, Duncan, Eidson, Eshelman, Faxon, Gowey, Haag, Harrison, Hatfield, Heitmann, Hoagland, Holloway, Holt, Huston, Johnson, Kemp, Light, Loomis, Mack, Mann, Marx, Martin, McCoy, McLain, Mesloh, Moorehead, Morris, Munson, Murlin, Myers of Ashland, Neff, Nelson, Newell, Newton, Norton, Parker, Pattison, Pearson, Poe, Ramsay, Ray, Richards, Richmond, Robb, Sater, Scott, Sheppard, Sherrick, Stone, Thompson of Montgomery, Tryon, Van Meter, Varley, Weible, West, White, Williams and Speaker—75.

So the resolution was agreed to.

Mr. Gowey moved that the vote by which H. J. R. No. 11 was adopted be reconsidered.

Which was agreed to.

Mr. Gowey then moved that the blank in the resolution be filled by the word "three."

Which was agreed to.

The question being on the adoption of the resolution, the yeas and nays were ordered, and resulted—yeas 74, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Armstrong of Guernsey, Baker of Fairfield, Baker of Perry, Barnett, Baskin, Bay, Beach, Beatty, Bell, Boyce, Brunner, Case, Chapman of Meigs, Cole, Coler, Conklin, Duncan, Eidson, Eshelman, Faxon, Gowey, Harrison, Hatfield, Heitmann, Hill, Hoagland, Holloway, Holt, Huston, Inman, Johnson, Kemp, Lewis, Loomis, Mack, Mann, Marx, Martin, McCoy, McLain, Moorehead, Morris, Munson, Murlin, Myers of Ashland, Myers of Fayette, Neff, Nelson, Newell, Newton, Norton, Parker, Poe, Ramsay, Richards, Richmond, Robb, Sater, Scott, Sheppard, Sherrick, Stone, Thompson of Lucas, Tryon, Van Meter, Varley, Watson, West, White, Williams and Speaker—74.

So the resolution was adopted.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has passed the following bills, in which the concurrence of the House of Representatives is requested:

S. B. No. 4—By Mr. Jones: To amend section 13 of the act of May 1, 1852, entitled an act to provide for the creation and regulation of incorporated companies in the State of Ohio, as amended April 25, 1873. (O. L., Vol. 70, p. 161.)

S. B. No. 12—By Mr. Rukenbrod: To amend and extend the provisions of an act passed March 10, 1873, entitled an act supplemennal to an act entitled an act to provide for the creation and regulation of incorporated companies in the State of Ohio, passed May 1, 1852.

S. B. No. 14—By Mr. Thompson: To establish a State board of centennial managers.

Attest: S. K. DONAVIN, *Clerk.*

Said bills were read the first time.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has passed the following bill, in which the concurrence of the House of Representatives is requested:

S. B. No. 22—By Mr. Andrews: To amend sections 1 and 2 of the act entitled an act to authorize the board of education of the incorporated village of Wapakoneta, Auglaize county, to borrow money and issue bonds to build a school-house, or additions to the school-house in said town.

Attest: S. K. DONAVIN, *Clerk.*

Said bill was read the first time.

Mr. Brunner offered the following joint resolution:

H. J. R. No. —: *Resolved by the General Assembly of the State of Ohio*, That the State Printers, to whom was committed the work of publishing the joint rules for the government of the two houses of the General Assembly, be earnestly requested to complete said work within the next two days, or ordered by the General Assembly to suspend their publication altogether.

Mr. McCoy moved to amend by inserting "five days" instead of "two."

Which was agreed to; and the resolution, as amended, was adopted.

On motion of Mr. Holloway, H. J. R. No. 14 was taken from the table.

Mr. Holloway then moved that it be committed to a select committee of five, with instructions to report to-morrow.

Mr. White moved that the resolution be referred to the committee on Railroads and Telegraphs.

Which was agreed to.

Mr. Case offered the following resolution, which was adopted:

H. R. No. 55: *Resolved*, That the committee on Penitentiary be and they are hereby instructed to inquire whether within the last two years there has been supported, boarded or lodged, in the family of the Warden of the Penitentiary, any person or persons other than such as are properly a part of the family of such Warden, and entitled to boarding and lodging in the family of such Warden; and that such committee report to this House at their earliest convenience the names, ages and occupation of all persons who have been lodged and boarded in the apartments of the Penitentiary set apart for the occupancy of the Warden and his family, and the length of time each has so lodged and boarded there; and said committee are hereby authorized to send for persons and papers, and to examine witnesses under oath.

Mr. Eidson offered for adoption the following resolution:

H. R. No. 56: *Resolved*, That the chairman of the committee on Public Printing be required to examine into the contract with the State Printer, and report the same to this House at as early a day as possible.

On motion of Mr. Norton, the House adjourned.

Attest: THOMAS COUGHLIN, *Clerk.*

TUESDAY, JANUARY 27, 1874—10 o'clock A.M.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Rexford.

The Journal was read and approved.

Mr. Holloway presented the petition of James C. Vanfassan and 58 other citizens of Madison township, Columbiana county, asking for a new sub-school district in said township.

Which was referred to the committee on Common Schools and School Lands.

Mr. West presented the petition of John Connoly and 93 other citizens of Clermont county, for the modification of the law giving county commissioners the power to levy taxes for repairing free turnpikes and public highways.

Which was referred to the committee on Roads and Highways.

Mr. Hatfield presented the remonstrance of Andrew J. Manrille and 3,282 other citizens of Wood county, against a law authorizing a vote to be taken for or against the removal of the seat of justice from Bowling Green to Perrysburg.

Which was referred to the committee on New Counties and County Affairs.

Mr. Norton presented the memorial of Wm. Burdell, R. Shield and other citizens of Franklin county, praying permission to bring suit in a court of justice.

Which was referred to the committee on Claims.

Mr. Holloway presented the petition of R. H. Garrigus and 251 other citizens of Columbiana county, asking that there be no law enacted

whereby any of the statutes now in force which provide against the evils resulting from the sale of intoxicating liquors will in any way be impaired or weakened.

Which was referred to the committee on Temperance.

Mr. Holloway presented the petition of Jesse S. Hise and 166 other citizens of Columbiana county, asking that there be no law enacted whereby any of the statutes now in force which provide against the evils resulting from the sale of intoxicating liquors will in any way be impaired or weakened.

Which was referred to the committee on Temperance.

Mr. Holloway also presented the petition of John Garwood and 107 other citizens of Columbiana county, for the same.

Which was referred to the committee on Temperance.

Mr. Scott presented the petition of J. W. Corwin and 250 other citizens of Warren county, for the speedy return to strict economy in public expenditures of the State, counties and municipalities, especially in fees of county officers.

Which was referred to the committee on Fees and Salaries.

Mr. Parker submitted the following report:

The committee on Revision have examined, and found correctly engrossed, House Bills Nos. 2, 22, 46, 47, 50 and 58.

E. B. Parker, William M. McKinley,
Johnson Sherrick, Jon. Morris.
Geo. W. Boyce,

The following bills were read the second time:

H. B. No. 82: To amend an act entitled an act to prevent and punish the adulteration of milk and cheese, passed March 23, 1865, as amended March 14, 1871.

Referred to the committee on Judiciary.

H. B. No. 83: To amend section 27 of an act entitled an act for the reorganization and maintenance of common schools, passed May 1, 1873.

Referred to the committee on Common Schools and School Lands.

H. B. No. 84: To authorize the board of education in the city of Canton, in the county of Stark, to borrow money and issue bonds to purchase sites and build school-houses in Canton school district.

Referred to the committee on Common Schools and School Lands.

H. B. No. 85: To amend section 6 of an act entitled an act to amend section 1 of an act passed May 16, 1868, entitled an act to amend original sections 6 and 7 of the act entitled an act relating to the organization of courts of justice, and their powers and duties, passed February 19, 1852.

Referred to the committee on Judiciary.

H. B. No. 86: To prevent dangerous interference with steam boilers.

Referred to the committee on Railroads and Telegraphs.

H. B. No. 87: To amend section 92 of an act entitled an act of the jurisdiction and procedure before justices of the peace, and of the duties of constables in civil courts, passed and took effect March 14, 1853.

Referred to the committee on Judiciary.

H. B. No. 88: To amend section 20 of an act entitled an act prescribing the duties of county auditors, passed and took effect April 4, 1859, as amended January 16, 1873.

Referred to the committee on Judiciary.

H. B. No. 89: To authorize the trustees of Copley township, Summit county, to levy a tax for certain purposes mentioned therein.

Referred to the committee on Corporations other than Municipal.

H. B. No. 90: To provide for the removal of the seat of justice of Mahoning county, Ohio, from the town of Canfield to the city of Youngstown, in said county.

Referred to the committee on New Counties and County Affairs.

S. B. No. 4: To amend section 13 of the act of May 1, 1852, entitled an act to provide for the creation and regulation of incorporated companies in the State of Ohio, as amended April 25, 1873.

Referred to the committee on Railroads and Telegraphs.

S. B. No. 12: To amend and extend the provisions of an act passed March 10, 1873, entitled an act supplemental to an act entitled an act to provide for the creation and regulation of incorporated companies in the State of Ohio, passed May 1, 1852.

Referred to the committee on Judiciary.

S. B. No. 14: To establish a State board of centennial managers.

Referred to the committee on Finance.

S. B. No. 22: To amend the first and second sections of the act entitled an act to authorize the board of education of the incorporated village of Wapakoneta, in the county of Auglaize, to borrow money and issue bonds to build a school-house, or additions to the school-house, in said town.

Referred to the committee on Common Schools and School Lands.

Mr. Mann moved that the reference of H. B. No. 87 to the committee on the Judiciary be reconsidered.

Which was agreed to.

On motion of Mr. Mann, said bill was then indefinitely postponed.

Mr. Morris moved to reconsider the reference of S. B. No. 14.

Which was disagreed to.

H. B. No. 2, to amend section 2 of an act amendatory of and supplementary to an act entitled an act to regulate insurance companies doing an insurance business in the State of Ohio, passed April 24, 1873, was read the third time.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 49, nays 35, as follows:

Those who voted in the affirmative were—

Messrs. Baker of Fairfield, Barrett, Beach, Bell, Boyce, Case, Chapman of Meigs, Cole, Conklin, Conkright, Eshelman, Haag, Hatfield, Herron, Hill, Hodge, Holloway, Howland, Huston, Inman, Johnson, Kemp, Lewis, Light, Martin, McCoy, McKinley, Mesloh, Miller, Murlin, Myers of Ashland, Nelson, Newell, Norton, Parker, Pattison, Pearson, Ray, Richards, Sater, Scott, Sherrick, Stone, Thompson of Montgomery, Van Meter, Weible, West and White—49

Those who voted in the negative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Baker of Coshocton, Barnett, Baskin, Bay, Beatty, Duncan, Eidson, Gowey, Harrison, Haven, Heitmann, Hoagland, Holt, Loomis, Mack, Mann, Marx, McLain, Moorehead, Morris, Munson, Myers of Fayette, Neff, Newton, Oren, Poe, Richmond, Robb, Sheppard, Thompson of Lucas, Tryon, Williams and Speaker—35.

So the bill failed to pass.

H. B. No. 12, to secure pay to persons performing labor or furnishing materials in constructing railroads, was read the third time.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 92, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Armstrong of Guernsey, Baker

of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Barrett, Baskin, Bay, Beach, Bell, Boyce, Brunner, Case, Chapman of Meigs, Cole, Coler, Conklin, Conkright, Duncan, Eidson, Eshelman, Faxon, Gowey, Harrison, Hatfield, Haven, Heitmann, Herron, Hill, Hoagland, Hodge, Holloway, Holt, Howland, Huston, Inman, Johnson, Kemp, Lewis, Loomis, Mack, Mann, Marx, Martin, McCoy, McKinley, McLain, Mesloh, Miller, Moorehead, Morris, Munson, Murlin, Myers of Ashland, Myers of Fayette, Neff, Nelson, Newell, Newton, Norton, Parker, Pattison, Pearson, Poe, Ramsay, Ray, Richards, Richmond, Robb, Sater, Scott, Sheppard, Sherrick, Stone, Thompson of Lucas, Thompson of Montgomery, Tryon, Van Meter, Varley, Watson, Weible, West, White, Williams and Speaker—92.

So the bill passed. The title was agreed to.

On motion of Mr. Baker of Coshocton, the House took a recess.

HALF-PAST TWO O'CLOCK P.M.

On motion of Mr. Scott, H. B. No. 14 was recommitted to the committee on Judiciary.

On motion of Mr. Scott, the third reading of H. B. No. 21, regulating the sale of poisons, was postponed until to-morrow.

H B. No. 22, to amend section 24 of an act relating to roads and highways, passed March 9, 1868, was read the third time.

Mr. Richards moved to recommit the bill to a select committee of one, with instructions to amend by inserting "first of October," instead of "November."

Which was disagreed to.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 44, nays 42, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Guernsey, Baker of Coshocton, Baker of Fairfield, Barnett, Boyce, Brunner, Coler, Conkright, Duncan, Eidson, Eshelman, Gowey, Haag, Haven, Heitmann, Hoagland, Hodge, Holt, Inman, Johnson, Light, Loomis, McCloud, Mesloh Moorehead, Murlin, Neff, Norton, Oren, Pearson, Ramsay, Richmond, Robb, Sater, Scott, Stone, Thompson of Lucas, Thompson of Montgomery, Van Meter, Weible, West, White and Williams—44.

Those who voted in the negative were—

Messrs. Armstrong of Belmont, Baker of Perry, Barrett, Baskin, Bay, Beach, Beatty, Bell, Chapman of Meigs, Cole, Cooley, Conklin, Faxon, Harrison, Hatfield, Herron, Hill, Holloway, Howland, Huston, Kemp, Mack, Mann, Marx, Martin, McKinley, Miller, Morris, Munson, Myers of Ashland, Myers of Fayette, Newell, Newton, Parker, Pattison, Poe, Richards, Sherrick, Tryon, Varley, Vincent and Watson—42.

So the bill failed to pass.

H. B. No. 43, to amend section 485 of the municipal code, was read the third time.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 19, nays 59, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Eidson, Johnson, Loomis, McCloud, McCoy, Mesloh, Miller, Morris, Munson, Murlin, Nelson, Pattison, Sater, Thompson of Montgomery, Van Meter, Weible, West and White—19.

Those who voted in the negative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Baker of Coshocton, Baker of Perry, Barnett, Baskin, Beach, Bell, Boyce, Brunner, Cole, Cooley, Conklin, Conkright, Duncan, Eshelman, Faxon, Gowey, Haag, Hatfield, Haven, Heitmann, Herron, Hill, Hoagland, Holloway, Holt, Howland, Huston, Inman, Kemp, Mack, Marx, Martin, McLain, Myers of Ashland, Myers of Fayette, Neff, Newell, Newton, Oren, Parker, Pearson, Poe, Ramsay, Ray, Richards, Richmond, Robb, Scott, Sheppard, Sherrick, Stone, Thompson of Lucas, Tryon, Varley, Vincent, Walker and Watson—59.

So the bill failed to pass.

Mr. Sater moved that the vote by which H. B. No. 2 was lost be reconsidered.

Which was agreed to.

The question then being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 58, nays 20, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Baker of Fairfield, Baker of Perry, Beach, Bell, Boyce, Case, Cole, Cooley, Conklin, Conkright, Eshelman, Gowey, Haag, Hatfield, Haven, Hill, Hodge, Holloway, Howland, Huston, Inman, Johnson, Kemp, Lewis, Light, Martin, McCloud, McCoy, McKinley, Mesloh, Miller, Morris, Murlin, Myers of Ashland, Neff, Nelson, Newell, Norton, Oren, Parker, Pattison, Pearson, Poe, Ray, Sater, Scott, Sheppard, Sherrick, Stone, Thompson of Montgomery, Van Meter, Varley, Walker, Watson, Weible, West and White—58.

Those who voted in the negative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Baker of Coshocton, Bay, Beatty, Chapman of Meigs, Duncan, Eidson, Harrison, Heitmann, Herron, Hoagland, Holt, Loomis, Mack, Mann, Marx, McLain, Munson, and Myers of Fayette—20.

So the bill passed. The title was agreed to.

Mr. Hodge moved that H. B. No. 44, supplementary to an act passed April 29, 1873, entitled an act to create a board of fire commissioners in cities having a population exceeding ninety thousand inhabitants, be amended as follows:

Strike out the word "common" wherever it applies to council, and insert the word "city."

Section 5, line 1, insert after word "appoint," "subject to the approval of the city council."

Same line, strike out the word "engineer" and insert "of fire department."

In same section, line 4, strike out balance of sentence after the word "be," and insert "during good behavior."

Same section, line 13, strike out the word "number," and insert "members."

Section 6, line 4, after the word "chief," strike out "engineer" and insert "of fire department."

Section 7, line 1, add "s" to "assistant" and strike out "engineers."

Same section, lines 3 and 4, strike out "or order it built or repaired."

Mr. Poe moved to lay the bill on the table.

Which was agreed to.

H. B. No. 46, to amend section 1 of an act entitled an act to provide for the uniform government and better regulation of the lunatic asylums of the State, and the care of idiots and the insane, passed April 7, 1856, was read the third time.

Mr. Scott moved that the bill be recommitted to the committee on the Judiciary.

Which was agreed to.

Mr. McCoy moved that the rule of the House be suspended, and that H. R. No. 53, relative to tendering the use of the Hall to Rev. E. C. Wines, to deliver a lecture, be taken from the table.

Which was agreed to.

Mr. McCoy then offered the following amendment:

Resolved, That this House will hold a session on Thursday evening, beginning at half-past seven o'clock, and that Dr. E. C. Wines be invited to deliver his lecture on Prison Reform at that time before this House.

Which was agreed to.

The resolution was then adopted.

On motion of Mr. Mann, the House adjourned.

Attest: THOMAS COUGHLIN, *Clerk*.

WEDNESDAY, JANUARY 28, 1874—10 o'clock A.M.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Rexford.

The Journal was read and approved.

Mr. Holloway presented the petition of F. H. Zeperuck and 21 other citizens of Columbiana county, asking a reduction of salaries of county and State officers.

Which was referred to the committee on Fees and Salaries.

The following bills were read the second time:

H. B. No. 91: To abolish the death penalty, and to amend the first section of an act entitled an act providing for the punishment of crimes, passed March 7, 1835.

Referred to the committee on the Judiciary.

H. B. No. 92: To provide for the removal of the seat of justice of Wood county from the incorporated village of Bowling Green to that of Perrysburg, in said county, and to authorize the mayor and town council of the incorporated village of Perrysburg and the trustees of the township of Perrysburg, in said county, to donate and convey certain property in case of such removal.

Referred to the committee on New Counties and County Affairs.

H. B. No. 93: To amend section 1 of an act entitled an act to fix the rate of toll on turnpike and plank-road companies, passed and took effect March 16, 1865, and the several acts amendatory thereto.

Referred to the committee on Turnpikes.

Mr. Baker of Fairfield moved that the constitutional rule be dispensed with, and that H. B. No. 94, for the government and regulation of the Ohio Penitentiary, and to repeal an act entitled an act to regulate and govern the Ohio Penitentiary, passed April 1, A.D. 1867, be read a second time by its title.

Which was agreed to.

The bill was then read a second time by its title, and referred to the committee on Penitentiary.

H. B. No. 95: To authorize the creation of a seperate school district in Porter township, Scioto county.

Referred to the committee on Common Schools and School Lands.

Mr. Sherrick submitted the following report:

The committee on Revision have examined, and found correctly engrossed, H. B. No. 20.

JOHNSON SHERRICK, JON. MORRIS,
WM. M. MCKINLEY, E. B. PARKER.

The House then resumed second reading of bills.

H. B. No. 96: To amend section 1 of an act entitled an act to amend section 1 of an act entitled an act to amend an act to prevent the killing of wild deer, passed and took effect February 19, 1866.

Referred to the committee on Agriculture.

On motion of Mr. Chapman of Meigs, H. B. No. 97 was indefinitely postponed.

H. B. No. 98: To amend section 47 of an act entitled an act for the reorganization and maintenance of common schools, passed May 1, 1873.

Referred to the committee on Common Schools and School Lands.

H. B. No. 99: To amend section 6 of an act regulating inclosures and provide against trespassing animals, passed January 17, 1840, took effect August 1, 1840.

Referred to the committee on Agriculture.

H. B. No. 100: To provide for a revision of the general laws of the State.

Referred to the committee on the Judiciary.

H. B. No. 115: To authorize the county commissioners of Tuscarawas county, Ohio, to borrow money and issue bonds to pay off an existing indebtedness contracted in the erection of bridges.

Referred to the committee on Finance.

Leave of absence was asked and obtained for Mr. Richmond until Saturday.

Mr. Eidson asked and obtained indefinite leave of absence.

H. B. No. 21, regulating the sale of poisons, was read the third time.

Mr. Holloway moved to commit the bill to a select committee of one, with instructions to amend as follows:

Section 1, line 4, after the word "poisons," insert "or intoxicating liquors, excepting alchohol." Section 2, line 1, strike out "who," and after the word "shall" insert "not;" in lines 3 and 4 strike out the words "shall be required." Between lines 3 and 5 insert section 3, to read as follows: "Section 3. That any apothecary, druggist or other person who shall sell poisons or intoxicating liquors, shall, in addition to the requirements of section 2, be required, first, to register in a book kept for the purpose, which shall at all times be kept open for the inspection of the public, the name, age, sex and color of the person obtaining such poison or intoxicating liquors; second, the quantity sold; third, the purpose for which it is required; fourth, the day and date on which it was obtained." Between lines 4 and 5 of section 3 insert "fifth, the name and residence of the physician giving the prescription; sixth, the name and place of residence for whom the article is intended; seventh, to have carefully printed in the English language the word 'poison' upon the label or wrapper of each package; eighth, to neither sell or give away any article of poison or intoxicating liquors to minors of either sex."

Mr. Munson moved to amend the instructions as follows:

1. Amend section 2, line 14, by inserting after the word "sex" the following: "unless known to the druggist or apothecary selling, or

vouched for by some responsible person, that said minor is in the proper discharge of a trust confided by parent or guardian of such minor."

2. Amend section 7, line 7, by adding after the word "physicians" the words "and physicians in the proper discharge of their duties as such."

Which was agreed to.

The question then being on agreeing to the amendment of Mr. Holloway,

Mr. McCoy demanded a division of the question.

The question then being on commiting the bill to a select committee of one, with instructions to amend, the yeas and nays were demanded, ordered, and resulted—yeas 33, nays 58, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Belmont, Baker of Coshocton, Baker of Perry, Barrett, Beatty, Chapman of Cuyahoga, Faxon, Gowey, Harrison, Herron, Holloway, Howland, Johnson, Loomis, Mack, Mann, Martin, McCloud, McLain, Munson, Neff, Oren, Ramsay, Ray, Richards, Stone, Thompson of Lucas, Thompson of Montgomery, Tryon, Varley, Vincent, Watson and White—33.

Those who voted in the negative were—

Messrs. Archer, Armstrong of Guernsey, Baker of Fairfield, Barnett, Baskin, Beach, Bell, Boyce, Brunner, Case, Cole, Coler, Cooley, Conklin, Conkright, Duncan, Eidson, Eshelman, Gordon, Green, Haag, Hatfield, Haven, Heitmann, Hill, Hoagland, Hodge, Holt, Huston, Inman, Kemp, Lewis, Light, Marx, McCoy, McKinley, Mesloh, Miller, Moorehead, Morris, Murlin, Myers of Ashland, Myers of Fayette, Nelson, Newell, Norton, Parker, Pattison, Robb, Sater, Sheppard, Sherrick, Van Meter, Walker, Weible, West and Williams—58.

So the House refused to commit.

The question then being on committing the bill to a select committee of one, with instructions to amend as moved by Mr. Munson, a vote was taken, and the motion agreed to.

Mr. Munson was appointed said committee.

On motion of Mr. Richards, H. B. No. 47, to amend section 92 of an act entitled an act of the jurisdiction and procedure before justices of the peace and of constables in civil courts, passed March 14, 1853, was laid on the table.

Mr. Pattison moved that the third reading of H. B. No. 58, to amend an act entitled an act to establish boards of control and to prescribe their duties, passed March 13, 1872, and the act amendatory of sections 2, 12 and 13 of said act, passed March 21, 1872, and to repeal said acts, and the act passed May 5, 1873, be postponed until Wednesday next.

Which was agreed to.

H. B. No. 20, to amend section 5 of the act entitled an act relating to roads and highways, passed and took effect May 9, 1868, was read the third time.

Mr. Sheppard moved to commit the bill to a select committee of one, with instructions to amend as follows:

In line 6, after the word "July," insert: "the first day of September or November, as the trustees may designate, or said trustees may order a portion of said labor to be performed by the first of July, and any part or all of the remainder to be done by the first of September, and the balance, if any, to be done by the first of November, and according to said

order the supervisors shall direct to do;" and in line 21, after the word "July," add the words "or September or November."

Which was agreed to.

Mr. Sheppard was appointed said committee, who reported the bill back, amended as instructed.

On motion of Mr. Nerton, the House took a recess.

HALF-PAST TWO O'CLOCK P.M.

Mr. Neff asked and obtained leave to change his vote on Mr. Holloway's amendment to H. B. No. 21.

When the House took a recess it had under consideration H. B. No. 20.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 58, nays 20, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Belmont, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Beach, Bell, Blake, Brunner, Chapman of Cuyahoga, Chapman of Meigs, Cooley, Conklin, Conkright, Eshelman, Faxon, Gowey, Harrison, Hatfield, Haven, Heitmann, Hoagland, Hodge, Holt, Inman, Johnson, Kemp, Lewis, Light, Loomis, Mack, Martin, McCloud, McCoy, McKinley, Mesloh, Miller, Moorehead, Munson, Murlin, Myers of Ashland, Myers of Fayette, Neff, Nelson, Norton, Oren, Pattison, Poe, Ramsay, Ray, Robb, Sheppard, Sherrick, Thompson of Lucas, Vincent, Watson, Weible, White and Williams—58.

Those who voted in the negative were—

Messrs. Archer, Barrett, Baskin, Beatty, Case, Cole, Duncan, Eidson, Green, Herron, Huston, Marx, McLain, Newell, Parker, Sater, Scott, Thompson of Montgomery, Varley and Walker—20.

So the bill passed. The title was agreed to.

Mr. Case moved to indefinitely postpone H. B. No. 50, to authorize the board of education of Versailles special school district, Darke county, to issue bonds and borrow money.

Which was agreed to.

H. B. No. 60, to authorize the county commissioners of Ross county to transfer any sum not to exceed twenty-five thousand dollars from the bridge fund or surplus funds of said county to the infirmary building fund, and to authorize said commissioners to issue bonds to the amount of thirty thousand dollars to borrow money for the purpose of completing the county infirmary, was read the third time.

The question being "Shall the bill pass?" the yeas and nays were demanded, ordered, and resulted—yeas 75, nays 13, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Guernsey, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barrett, Baskin, Beach, Bell, Blake, Boyce, Brunner, Case, Chapman of Cuyahoga, Chapman of Meigs, Cole, Cooley, Conklin, Conkright, Duncan, Eidson, Eshelman, Faxon, Gordon, Green, Haag, Hardy, Harrison, Hatfield, Heitmann, Herron, Hill, Holloway, Holt, Howland, Huston, Inman, Johnson, Kemp, Lewis, Loomis, Mack, Mann, McCloud, McCoy, McKinley, Mesloh, Miller, Morris, Munson, Murlin, Myers of Ashland, Myers of Fayette, Neff, Nelson, Newell, Newton, Norton, Parker, Poe, Ray, Richards, Robb, Sater, Scott, Sheppard, Sherrick, Stone, Thompson of Lucas, Thompson of Montgomery, Tryon, Van Meter, Walker, Weible, White and Williams—75.

Those who voted in the negative were—

Messrs. Armstrong of Belmont, Coler, Gowey, Hoagland, McLain, Moorehead, Oren, Pattison, Ramsay, Varley, Vincent, Watson and West—13.

So the bill passed. The title was agreed to.

The following bills were introduced and read the first time:

H. B. No. 117—By Mr. Haag: To amend section 54 of an act passed April 17, 1867, entitled an act to amend sections 49, 53 and 54 of an act entitled an act to provide for the creation and regulation of incorporated companies in the State of Ohio, passed May 1, 1852, and to repeal the sections hereby amended.

H. B. No. 118—By Mr. Mesloh: To amend section 2 of an act entitled an act to establish and maintain an agricultural and mechanical college in Ohio, passed March 22, 1870.

H. B. No. 119—By Mr. Thompson of Montgomery: To create and establish an election precinct in Jefferson township, Montgomery county, in the State of Ohio, at the Soldiers' Home, near Dayton.

H. B. No. 120—By Mr. McKinley: Amendatory to an act entitled an act for the reorganization and maintenance of common schools, passed May 1, 1873.

H. B. No. 121—By Mr. Beach: To authorize the treasurer of Knox county to pay out of the treasury, upon the order of the county commissioners, certain funds derived from the stockholders of the Lake Erie Railroad Company.

H. B. No. 122—By Mr. Oren: To prohibit the importation, manufacture and sale of intoxicating liquors as a beverage in the State of Ohio.

H. B. No. 123—By Mr. Duncan: To amend section 10 of an act entitled an act relating to juries, passed and took effect April 26, 1873.

H. B. No. 124—By Mr. Beatty: To amend an act entitled an act to amend section 62 of an act entitled an act to establish a code of criminal procedure for the State of Ohio, passed May 6, 1869, passed January 29, 1873.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The following bills have been introduced in the Senate and read the first time:

S. B. No. 35: To amend section 13 of an act entitled an act to amend sections 12 and 13 of an act to provide for locating, establishing and constructing ditches, drains and water courses in townships, and to repeal a certain act therein named. (Vol. 69 O. L., p. 45.)

S. B. No. 36: Fixing the liability of State, county and other elective officers in the State of Ohio.

S. B. No. 37: To amend section 652 of the act to provide for the organization and government of municipal corporations, passed May 7, 1869. (Vol. 66 O. L., p. 260.)

S. B. No. 38: For the protection of game, and to repeal all laws heretofore passed for that purpose.

S. B No. 39: To amend section 8 of an act entitled an act amendatory of and supplementary to an act entitled an act to regulate insurance companies doing an insurance business in the State of Ohio, passed April 27, 1872, passed April 24, 1873. (O. L., Vol. 70, p. 147.)

S. B. No. 40: To amend section 1 of an act entitled an act to regulate and govern the Ohio Penitentiary, passed April 1, 1867. (S. & S., p. 512.)

S. B. No. 41: Relating to debts contracted by women before marriage.

S. B. No. 42: To amend an act entitled an act to amend an act enti-

tled an act to regulate the election of State and county officers, passed March 11, 1853. (1 S. & C., pp. 542 and 543.)

Attest: S. K. DONAVIN, *Clerk.*

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has concurred in the adoption of H. J. R. No. 5, relative to printing joint rules.

Attest: S. K. DONAVIN, *Clerk.*

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has concurred in the passage of H. B. No. 72, making appropriation for the Constitutional Convention and General Assembly, after amending the same as follows:

Section 1, in line thirteen, after the word "officer," add the following words: "Provided, that no per diem or mileage shall be paid out of this appropriation to the members or officers for the time of the recess of said Convention from December 23, 1873, to January 6, 1874."

In line twenty-two strike out "twenty" and insert "forty," and in line twenty-three strike out the figures "$25,000" and insert "$45,000."

Add at the end of line twenty-three "To pay for State printing, five thousand dollars.

"For the expenses of the committees of the General Assembly, upon the certificate of the chairman of each committee, and of the chairman of the committee of Claims of each House respectively, one thousand dollars.

"For contingent expenses of Treasurer of State, three hundred dollars.

"For deficiency in contingent expense fund for Treasurer of State, one hundred and fifty dollars."

The Senate has also amended the title of said bill by striking out all after the word "bill," and inserting the following in lieu thereof: "Making partial appropriations for the year 1874."

In which amendments to bill and title the concurrence of the House of Representatives is requested.

Attest: S. K. DONAVIN, *Clerk.*

Mr. McLain moved to commit the bill to the committee on Finance.

Which was disagreed to.

The question being on agreeing to the Senate amendments,

Mr. Scott demanded a division of the question.

The question then being on agreeing to the first amendment of the Senate, relating to members of the Constitutional Convention,

Mr. Munson offered the following amendment: Add to the first Senate amendment "except those members, officers and porters who remained at their posts, ready for work, during said recess."

Which was disagreed to.

The question then being on agreeing to first Senate amendment, the yeas and nays were ordered, and resulted—yeas 48, nays 42, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Belmont, Baker of Coshocton, Baker of Fairfield, Barnett, Baskin, Beach, Blake, Boyce, Brunner, Cole, Coler, Conklin, Conkright, Gowey, Hatfield, Heitmann, Hill, Hoagland, Howland, Huston, Lewis, Light, Loomis, McCoy, McLain, Mesloh, Moorehead, Morris, Murlin, Myers of Ashland, Myers of Fayette, Oren, Pattison, Ray, Richards, Robb,

Sater, Sheppard, Sherrick, Thompson of Montgomery, Varley, Vincent, Watson, Weible, West, White and Williams—48.

Those who voted in the negative were—

Messrs. Armstrong of Guernsey, Baker of Perry, Barrett, Beatty, Case, Chapman of Cuyahoga, Chapman of Meigs, Cooley, Duncan, Eidson, Eshelman, Faxon, Gordon, Green, Harrison, Haven, Herron, Hodge, Holloway, Holt, Inman, Johnson, Kemp, Mack, Mann, Marx, Martin, McKinley, Miller, Munson, Neff, Nelson, Newell, Newton, Norton, Parker, Pearson, Poe, Ramsay, Scott, Stone, Thompson of Lucas, Tryon, Van Meter and Walker—42.

So the amendment, not having received a constitutional majority, was disagreed to.

The question being on agreeing to the other amendments of the Senate, the yeas and nays were ordered, and resulted—yeas 70, nays 1, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Armstrong of Guernsey, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barrett, Baskin, Beach, Beatty, Blake, Boyce, Brunner, Case, Chapman of Meigs, Cole, Coler, Conklin, Conkright, Duncan, Eidson, Eshelman, Faxon, Gowey, Green, Harrison, Hatfield, Haven, Heitmann, Herron, Hill, Hodge, Holloway, Holt, Inman, Kemp, Light, Loomis, Mack, Mann, Marx, Martin, McLain, Mesloh, Miller, Morris, Munson, Murlin, Myers of Ashland, Myers of Fayette, Neff, Newton, Norton, Oren, Pattison, Ramsay, Ray, Richards, Robb, Sater, Stone, Thompson of Lucas, Thompson of Montgomery, Van Meter, Varley, Vincent, Watson, Weible, West and Williams—70.

Mr. McCoy voted in the negative.

So the amendments were agreed to.

The title of the bill, as amended by the Senate, was disagreed to.

Leave of absence for Thursday and Friday was asked and obtained for the committee on Finance.

Leave of absence for to-morrow was granted to the committee on Deaf and Dumb Asylum.

Leave of absence for the balance of the week was granted to the committee on Insane Asylums.

The following bill was introduced and read the first time:

H. B. No. 125—By Mr. Mann: To amend an act of the jurisdiction and procedure before justices of the peace, and of the duties of constables in civil cases, passed March 14, 1853.

Mr. Scott submitted the following report:

The committee on the Judiciary, to whom was referred H. B. No. 42, for the relief of J. G. Brugger, having had the same under consideration, report it back, with the following amendments, and recommend its engrossment and passage:

Strike out all of the preamble after the word "money," in line 12.

Insert after the word "trustees," in line 5, section 1, the words "provided, that any portion of said money that may be recovered shall be paid into the treasury of said York township."

Strike out the words "a majority," in line 7, section 1, and insert the words "three-fourths."

J. Scott,	J. M. Pattison,
J. M. Haag,	C. C. Archer,
J. H. Heitmann,	W. P. Howland,
Thomas M. Robb,	Wm. W. Beatty.

The amendments were agreed to, and the bill ordered to be engrossed for third reading Monday.

Mr. Case submitted the following report:

The committee on Common Schools and School Lands, to whom was referred H. B. No. 52, to amend an act entitled an act for the reorganization and maintenance of common schools, passed May 1, 1873, having had the same under consideration, report it back, with the following amendments, and recommend that when so amended it be passed:

Section 1, line 14, after the word "employes," insert "or to elect or appoint an officer."

Section 3, line 25, strike out the word "township" and insert "sub."

O. CASE, A. W. MUNSON,
G. W. LIGHT, E. MARTIN,
JOHNSON SHERRICK, H. G. TRYON.
J. A. MOOREHEAD,

The amendments were agreed to, and the bill ordered to be engrossed for third reading to-morrow.

Mr. Archer submitted the following report:

The committee on the Judiciary, to whom was referred H. B. No. 11, for the relief of securities, having had the same under consideration, report it back, with the following amendments, and recommend that after being so amended it be passed:

In section 1, line 3, strike out the word "criminal." In the same section, in line 7, strike out the word "ten" and insert the word "thirty."

C. C. ARCHER, J. H. HEITMANN,
T. M. ROBB, WM. W. BEATTY,
J. M. PATTISON, J. M. HAAG.

The amendments were agreed to, and the bill ordered to be engrossed and read the third time to-morrow.

Mr. Light submitted the following report:

The committee on Common Schools and School Lands, to whom was referred H. B. No. 66, to authorize the board of education of Huntington township, Brown county, to levy a special tax to pay an existing indebtedness of school building fund, having had the same under consideration, report it back, and recommend that it be passed.

G. W. LIGHT, A. W. MUNSON,
O. CASE, E. MARTIN,
JOHNSON SHERRICK, H. G. TRYON.
J. A. MOOREHEAD,

Said bill was ordered to be engrossed for third reading on Friday next.

Mr. Case submitted the following report:

The committee on Common Schools and School Lands, to whom was referred H. B. No. 98, to amend section 47 of an act entitled an act for the reorganization and maintenance of common schools, passed May 1, 1873, having had the same under consideration, report it back, with the following amendment, and recommend its passage:

In section 1, line sixteen, strike out "two dollars," and insert "one dollar, and five cents per mile for traveling to and from the county seat."

O. CASE, E. MARTIN,
J A MOOREHEAD, H. G. TRYON,
G. W. LIGHT, A. W. MUNSON.
JOHNSON SHERRICK,

The amendment was agreed to, and the bill ordered to be engrossed for third reading on Friday.

Mr. Martin submitted the following report:

The committee on Common Schools and School Lands, to whom was referred H. B. No. 78, to authorize the trustees of Delaware township, Delaware county, Ohio, to borrow money to assist in building a bridge, having had the same under consideration, report it back, and recommend that it be engrossed and passed.

E. MARTIN, J. A. MOOREHEAD,
O. CASE, A. W. MUNSON,
G. W. LIGHT, H. G. TRYON.

Said bill was ordered to be engrossed for third reading on Tuesday next.

Mr. Howland submitted the following report:

The committee on Judiciary, to whom was referred H. B. No. 82, to amend an act entitled an act to prevent and punish the adulteration of milk and cheese, passed March 23, 1865, as amended March 14, 1871, having had the same under consideration, report it back, with the following amendment:

Insert in line eighteen, after the word "twenty," the word "five," so that it will read "twenty-five dollars."

The committee recommend that the bill be amended as above indicated, engrossed, and passed.

W. P. HOWLAND, J. SCOTT,
T. M. ROBB, WM. W. BEATTY,
J. M. HAGG, J. H. HEITMANN.

The amendment was agreed to, and said bill ordered to been engrossed for third reading on Tuesday next.

Mr. Munson submitted the following report:

The committee on Common Schools and School Lands, to whom was referred H. B. No. 83, to amend section 27 of an act entitled an act for the reorganization and maintenance of common schools, passed May 1, 1873, having had the same under consideration, report it back, and recommend that it be engrossed and passed.

A. W. MUNSON, J. A. MOOREHEAD.
G. W. LIGHT, E. MARTIN,
O. CASE, H. G. TRYON.
JOHNSON SHERRICK,

Said bill was ordered to be engrossed for third reading on Tuesday next.

Mr. Light submitted the following report:

The committee on Common Schools and School Lands, to whom was referred H. B. No. 95, to authorize the creation of a separate school district in Porter township, Scioto county, Ohio, having had the same under consideration, report it back, and recommend that it be passed.

G. W. LIGHT, A. W. MUNSON,
JOHNSON SHERRICK, E. MARTIN,
J. A. MOOREHEAD, H. G. TRYON.
O. CASE,

Said bill was ordered to be engrossed for third reading on Tuesday next.

Mr. McCoy submitted the following report:

The committee on Agriculture, to whom was recommitted H. B. No. 39, having had the same under consideration, report it back, with the following amendments, and recommend its passage:

In section 1, line two, strike out the words "empowered to;" in line

three strike out the word "the," and insert "to." Strike out all the remainder of the section after the word "purpose," and insert the words "of improving the grounds of the Franklin County Agricultural Society, and paying the debts of said Society."

In section 2 strike out line one to and including the word "society," in line two, and insert the following: "The county commissioners are hereby authorized."

In section 3, lines two and three, strike out the following words: "or any part of them authorized." In lines four and five strike out the following: "as hereinbefore provided."

M. McCoy, T. M. Bay,
T. E. Sater, D. C. Richmond.
H. H. Mack,

Said amendments were agreed to, and the bill ordered to be engrossed for third reading on Wednesday next.

Mr. Beatty submitted the following report:

The committee on Judiciary, to whom was referred H. B. No. 40, to amend section 7 of an act entitled an act to provide for the election of prosecuting attorneys, and prescribing their duties, passed April 30, 1852, and to repeal the section so hereby amended, having had the same under consideration, report it back, and recommend the engrossment and passage thereof.

J. M. Haag, J. H. Heitmann,
W. P. Howland, Wm. W. Beatty,
T. M. Robb, C. C. Archer.
J. M. Pattison,

Said bill was ordered engrossed for third reading to-morrow.

Mr. Case submitted the following report:

The committee on Common Schools and School Lands, to whom was referred H. B. No. 73, to amend sections 93 and 96 of an act entitled an act for the reorganization and maintenance of common schools, passed May 1, 1873, having had the same under consideration, report it back, with the following amendment, and recommend its passage. Add to the bill: "Section 2. That original sections 93 and 96 be and they are hereby repealed, and this act shall take effect and be in force from and after its passage."

O. Case, E. Martin,
J. A. Moorehead, H. G. Tryon,
G. W. Light, A. W. Munson.
Johnson Sherrick,

The amendments were agreed to, and the bill ordered engrossed for third reading on Tuesday next.

Mr. Martin submitted the following report:

The committee on Common Schools and School Lands, to whom was referred H. B. No. 69, for the relief of Joseph S. Pierce, having had the same under consideration, report it back, and recommend that it be engrossed and passed.

E. Martin, G. W. Light,
O. Case, Johnson Sherrick,
A. M. Munson, J. A. Moorehead.

Said bill was ordered engrossed for third reading on Tuesday next.

Mr. Robb submitted the following report:

The committee on Judiciary, to whom was referred H. B. No. 39, to amend section 104 of an act entitled an act to establish a code of criminal

procedure for the State of Ohio, passed May 6, 1869, as amended January 5, 1871, having had the same under consideration, report it back, with the following amendment, and recommend that after being so amended it be engrossed and passed: Strike out the word "recovering," in the fifth line, and insert the word "receiving."

C. C. ARCHER, J. H. HEITMANN,
J. M. PATTISON, WM. W. BEATTY,
T. M. ROBB, J. M. HAAG.

The amendment was agreed to, and the bill ordered to be engrossed for third reading on Wednesday next.

Mr. Robb submitted the following report:

The committee on Judiciary, to whom was referred H. B. No. 25, to repeal section 5 of an act entitled an act in addition to the several acts in relation to the courts of justice, and their powers and duties, passed April 10, and took effect May 1, 1856, having had the same under consideration, report it back, with the recommendation that it be indefinitely postponed.

J. M. HAAG, J. H. HEITMANN,
J. SCOTT, T. M. ROBB,
WM. W. BEATTY, C. C. ARCHER.

On motion of Mr. Parker, the bill was laid on the table.

On motion of Mr. Brunner, H. B. No. 44, supplementary to an act passed April 29, 1873, entitled an act to create a board of fire commissioners in cities having a population exceeding ninety thousand inhabitants, was taken from the table.

Mr. Hodge moved that the bill be recommitted to the committee on Municipal Corporations.

Which was agreed to.

On motion of Mr. Holloway, the House adjourned.

Attest: THOMAS COUGHLIN, *Clerk.*

THURSDAY, JANUARY 29, 1874—10 o'clock A.M.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Rexford.

The Journal was read and approved.

Mr. McKinley moved to reconsider the vote by which the first Senate amendment to H. B. No. 72 was lost.

Mr. Baker of Fairfield moved to lay the motion to reconsider on the table.

Which was agreed to.

Leave of absence was asked and obtained as follows:

For Messrs. Bay and Hodge until Monday; for Mr. Archer for an indefinite time; for Mr. Pearson until to-morrow; and for Mr. Huston until Saturday next.

Mr. Brunner demanded a call of the House Fifty-six members answered to their names.

The absentees were—

Messrs. Archer, Baker of Coshocton, Barnett, Bay, Beach, Bell, Boyce, Brooke, Case, Chapman of Meigs, Cooley, Eidson, Eshelman, Ford, Geghan, Gowey, Gordon, Green, Grosvenor, Haag, Hardy, Hatfield, Haven, Herron, Hill, Hodge, Howland, Huston, Kemp, Lewis, Light, Loomis,

McCoy, McKinley, McLain, Mesloh, Nelson, Norton, Pearson, Poe, Ramsay, Richards, Richmond, Scott, Thompson of Lucas, Thompson of Montgomery, Walker, White and Speaker.

The Sergeant-at-Arms was dispatched for absentees.

Mr. Oren moved that all further proceedings under the call be dispensed with.

Which was agreed to.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has passed the following bills, in which the concurrence of the House of Representatives is requested:

S. B. No. 24—By Mr. Worthington: For the relief of medical colleges.

S. B. No. 23—By Mr. Burns: For the relief of the county treasury of Richland county, Ohio.

S. B. No. 18—By Mr. Hudson: To enable manufacturing companies to capitalize their debts by increasing their capital stock and creating preference shares, and to repeal the act passed April 11, 1862. (S. & S., p. 168.)

Attest: S. K. DONAVIN, *Clerk.*

Said bills were read the first time.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has adopted the following joint resolution, in which the concurrence of the House of Representatives is requested:

S. J. R. No. 13—By Mr. Knox: Distributing the copies of the joint rules and rules of the two houses.

Attest: S. K. DONAVIN, *Clerk.*

The question being on the adoption of the resolution, the yeas and nays were ordered, and resulted—yeas 56, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Baker of Fairfield, Baker of Perry, Barrett, Baskin, Beatty, Blake, Brunner, Carnahan, Chapman of Cuyahoga, Cole, Coler, Conklin, Conkright, Duncan, Faxon, Harrison, Heitmann, Hoagland, Holloway, Holt, Inman, Johnson, Mack, Mann, Marx, Martin, McCloud, Miller, Moorehead, Morris, Munson, Murlin, Myers of Ashland, Myers of Fayette, Neff, Newell, Newton, Oren, Parker, Pattison, Ray, Robb, Sater, Sheppard, Sherrick, Stone, Tryon, Van Meter, Varley, Vincent, Watson, Weible, West and Williams—56.

So the resolution was adopted.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has indefinitely postponed H. J. R. No. 1, instructing Senators and Representatives in Congress to secure the immediate repeal of the salary bill.

Attest: S. K. DONAVIN, *Clerk.*

Mr. Robb presented the remonstrance of J. Askins and sixty-six other citizens of Allen county, against the purchase and improvement of the agricultural grounds of said county.

Which was referred to the committee on Agriculture.

The following bills were read the second time:

H. B. No. 101: To authorize the commissioners of Allen county to levy

a tax to purchase and improve fair grounds for the agricultural society of said county.

Referred to the committee on Agriculture.

H. B. No. 102: To authorize the commissioners of Guernsey county to transfer to the townships of Beaver, Buffalo, Seneca and Wayne, in Noble county, certain railroad stocks held by said Guernsey county, and the payment to said townships of dividends received by said county on said stock; also, all the taxes collected by said county on a certain amount of said railroad lying and being in said Noble county.

Referred to the committee on New Counties and County Affairs.

H. B. No. 103: To amend section 338 of an act entitled an act to provide for the organization and government of municipal corporations, passed May 7, 1869.

Referred to the committee on Municipal Corporations.

H. B. No. 104: To amend section 11 of an act for the reorganization and maintenance of common schools, passed May 1, 1873.

Referred to the committee on Common Schools and School Lands.

Mr. Newton, on leave, presented the petition of Miles Titus and 200 other citizens of Mahoning county, for the removal of the county seat of said county from the village of Canfield to the city of Youngstown.

Which was referred to the committee on New Counties and County Affairs.

The following bills were then read the second time:

H. B. No. 105: To repeal an act entitled an act for the encouragement of the Coshocton union school, passed March 19, 1851.

Referred to the committee on Common Schools and School Lands.

H. B. No. 106: Supplementary to an act entitled an act to exempt specific articles of personal property from execution, passed April 16, 1873.

Referred to the committee on the Judiciary.

H. B. No. 107: To amend section 71 of an act for the reorganization and maintenance of common schools, passed May 1, 1873.

Referred to the committee on the Judiciary.

H. B. No. 108: To prevent the use of ferrets to catch rabbits.

Referred to the committee on Agriculture.

H. B. No. 109: To amend an act entitled an act to amend an act entitled an act to regulate the standard per bushel of stone-coal, passed April 29, 1872.

Referred to the committee on Agriculture.

H. B. No. 110: For the protection and increase of forest trees.

Referred to the committee on Agriculture.

Mr. Morris submitted the following report:

The committee on Revision have examined, and found correctly engrossed, H. B's Nos. 11, 40 and 52.

JON. MORRIS, WM. M. MCKINLEY,
JOHNSON SHERRICK, ORVIL BLAKE.
E. B. PARKER,

Mr. Miller moved that the third reading of bills be postponed until Saturday.

Mr. Morris moved the third reading be postponed until Tuesday next.

Which was agreed to.

The following bills were introduced, and read the first time:

H. B. No. 126—By Mr. Holloway: To repeal section 3 of an act entitled an act passed April 30, 1862, amendatory of an act entitled an act in addition to the several acts in relation to the courts of justices, and their powers and duties, passed April 10, 1856.

H. B. No. 127—By Mr. Neff: To amend an act entitled an act to amend an act supplementary to an act defining the jurisdiction and regulating the practice of probate courts, passed March 4, 1853, amended February 20, 1856, as amended March 10, 1873.

H. B. No. 128—By Mr. Brunner: Supplementary to an act entitled an act to incorporate loan and savings associations, passed and took effect February 26, 1873.

H. B. No. 129—By Mr. Beatty: Supplementary to an act entitled an act to provide for the creation and regulation of incorporated companies in the State of Ohio, passed May 1, 1852.

H. B. No. 130—By Mr. Morris: To amend section 10 of an act entitled an act for the maintenance and support of illegitimate children, and to repeal said sections so amended, passed April 3, 1873.

Mr. Baker of Coshocton offered for adoption the following joint resolution:

H. J. R. No. 16½: Relating to expenses of committees:

Resolved by the General Assembly of the State of Ohio, That all committees of this General Assembly be and they are hereby respectively required to make accurately itemized accounts, which shall be signed by said committees, of any and all expenses incurred by them respectively in the discharge of their duties, which accounts shall be presented to he standing committee on Claims of the House or Senate, as the case may be, for examination and approval; and that the Auditor of State be and he is hereby instructed to disallow and reject any and all claims for expenses so incurred, unless the same shall have been approved by the proper committee on Claims aforesaid.

On motion of Mr. Oren, the resolution was referred to the committee on Finance.

Mr. Munson submitted the following report:

The committee on Common Schools and School Lands, to whom was referred H. B. No. 26, to establish a joint sub-school district in Shelby county, having had the same under consideration, report it back, and recommend that it be engrossed and passed.

A. W. Munson, E. Martin,
G. W. Light, O. Case,
H. G. Tryon, Johnson Sherrick.

The bill was ordered to be engrossed, and read a third time on Tuesday next.

Mr. Heitmann submitted the following report:

The committee on Judiciary, to whom was referred H. B. No. 5, to amend section 5 of an act entitled an act to provide for the punishment of crimes, passed March 7, 1835, having had the same under consideration, report it back, with one amendment, viz., strike out all after the enacting clause, and insert the following:

"That whenever, upon the trial for any offense punishable under the act entitled an act providing for the punishment of crimes, passed March 7, 1835 (S. & C., 401), or under the act entitled an act supplementary to an act providing for the punishment of crimes, passed March 7, 1835, passed April 4, 1859 (S. & C., 452), it may be necessary to prove carnal knowledge, proof of actual penetration into the body shall be sufficient to constitute such carnal knowledge.

"Sec. 2. This act shall take effect and be in force from and after its passage."

J. M. Haag, W. P. Howland,
J. H. Heitmann, C. C. Archer,
Thomas M. Robb, Wm. W. Beatty.
J. M. Pattison,

The amendment was agreed to, and the bill ordered to be engrossed, and read the third time Wednesday next.

Mr. Beatty submitted the following report:

The committtee on Fees and Salaries, to whom was referred H. B. No. 6, limiting the compensation of certain officers therein named, having had the same under consideration, report it back, and recommend its engrossment and passage.

GEO. S. BAKER, LEBBEUS COLE,
J. C. VINCENT, GEO. JOHNSON,
M. A. HOAGLAND, WM. W. BEATTY.
WM T. CONKLIN,

On motion of Mr. Chapman of Cuyahoga, said bill was laid on the table.

Mr. Armstrong of Belmont offered the following resolution:

H. J. R. No. 17: WHEREAS, The present method of electing the President and Senators of the United States is not in full accord with the spirit of our institutions, and, as has been proved by events in some of the States in the case of choosing United States Senators, invites corruption and fraud; therefore

Resolved by the General Assembly of the State of Ohio, That it is the sense of this General Assembly that the President and Senators of the United States should be elected directly by the people, and that our Senators and Representatives in Congress be and are hereby requested to exert their influence in favor of an amendment to the Federal Constitution which shall secure such change in the election of these officers.

Resolved, That the Governor be requested to forward a copy of this preamble and resolution to each of our Senators and Representatives in Congress.

Which, on motion of Mr. McCoy, was ordered to be laid on the table and printed.

Mr. Vincent offered the following resolution:

H. R. No. 57: *Resolved*, That the committee on Finance be instructed to inquire into the expediency of requiring the county commissioners of this State to divide the county into twelve tax districts, and that the taxes shall be collected as follows: No. 1 in January, No. 2 in February, No. 3 in March, No. 4 in April, No. 5 in May, No. 6 in June, No. 7 in July, No. 8 in August, No. 9 in September, No. 10 in October, No. 11 in November, No. 12 in December, of each year, commencing the first of January, 1875; to report by bill or otherwise.

Mr. Blake moved that the resolution be laid on the table and printed.

Which was disagreed to.

Mr. Heitmann moved to refer the resolution to the committee on Finance.

Which was agreed to.

On motion of Mr. Armstrong of Belmont, the House took a recess.

HALF-PAST TWO O'CLOCK P.M.

Mr. Blake moved that H. B. No. 47 be taken from the table and set for third reading next Tuesday.

Which was agreed to.

Mr. McCloud offered the following resolution:

H. J. R. No. 18: WHEREAS, Large sums of money are charged against the State of Ohio for arms, etc., furnished during the late war, and other

States equally populous had no charges made against them during the same period, and it is probable that error occurred in keeping the accounts with this State, which does great injustice to it, but which the Ordnance department of the United States have no authority to correct. The principal if not all of the issue which was made to this State during the war was to it for the maintenance of the General Government, and should have been charged as arms and other stores issued to volunteers of the United States, and not to the State of Ohio; and

WHEREAS, The indebtedness of the State of Ohio to the General Government for arms, etc., charged is about one hundred and twenty-seven thousand dollars; therefore

Resolved by the General Assembly of the State of Ohio, That our Senators and Representatives in Congress be requested to use all honorable means to secure the passage of the bill introduced in the House of Representatives January 29, 1872, entitled a bill making provision for arming and equipping the whole body of militia of the United States, and for other purposes, whereby the said indebtedness might be canceled.

Resolved, That the Governor be requested to forward a copy of the above preamble and resolution to each of our Senators and Representatives in Congress.

On motion of Mr. White, said resolution was referred to the committee on Military Affairs.

On leave, the following bills were introduced, and read the first time:

H. B. No. 131—By Mr. Heitmann: To amend section 38 of the act entitled an act relating to wills, and to repeal former acts relating thereto, passed May 3, 1852.

H. B. No. 132—By Mr. Walker: To authorize the commissioners of Darke county to levy a tax for agricultural purposes.

On motion of Mr. Murlin, the House took a recess until half-past seven o'clock this evening, in accordance with the resolution adopted yesterday.

HALF-PAST SEVEN O'CLOCK P.M.

Dr. E. C. Wines was introduced, and delivered his lecture on prisons and prison reforms, under invitation of H. R. No. 53.

Mr. Case then offered for adoption the following resolution:

H. R No. 58: *Resolved*, That the thanks of this House are hereby tendered to Dr. Wines for his able and instructive address upon the subject of prison discipline and reform.

Which was unanimously agreed to.

Mr. Case asked and obtained leave of absence for himself until Monday next.

On motion of Mr. Armstrong of Guernsey, the House adjourned.

Attest: THOMAS COUGHLIN, *Clerk.*

FRIDAY, JANUARY 30, 1874—10 o'clock A.M.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Rexford.

The Journal of yesterday was read.

Mr. Chapman of Cuyahoga moved that the Journal be corrected by striking from it the action of the House in regard to the Senate's first amendment to H. B. No. 72.

Which was not agreed to.

The Journal was then approved.

Mr. Weible presented the petition of Abraham Bolyeat and 420 other tax-paying citizens of Van Wert county, for a law authorizing the county commissioners of said county to issue bonds for the purpose of building a court-house and jail.

Which was referred to the committee on Fees and Salaries.

Mr. Sherrick submitted the following report:

The committee on Revision have examined, and found correctly engrossed, House Bills Nos. 66 and 98.

JOHNSON SHERRICK, WM. M. MCKINLEY,
JON. MORRIS, ORVIL BLAKE.

Mr. Mesloh presented the petition of R. B. Gordon and other citizens of Augliaze county, against any legislation or action which would embarrass the prosecution of work on the Cincinnati Southern Railway.

Which was referred to the committee on Railroads and Telegraphs.

Mr. Ramsay presented the memorial of D. M. McConahy and other physicians of Adams county, for some measure of protection against malicious prosecutions for malpractice.

Referred to the committee on Medical Colleges and Societies.

The following bills were read the second time:

H. B. No. 111: To provide for the organization, supervision and maintenance of separate schools for colored youth.

Referred to the committee on Common Schools and School Lands.

H. B. No. 112: To appropriate five hundred dollars for the benefit of the blind, to purchase books, etc.

Referred to the committee on Deaf and Dumb, Blind and Idiotic Asylums.

H. B. No. 113: To authorize the trustees of Avon township, Lorain county, to levy a tax for certain purposes therein named.

Referred to the committee on Corporations other than Municipal.

H. B. No. 114: Providing for printing and distributing the journals of the General Assembly, and the laws and public documents, and repeal certain acts therein named.

Referred to the committee on Public Printing.

H. B. No. 116: To provide for the appointment of an inspector of mines, and supplementary to an act entitled an act regulating coal mines and the working thereof, passed April 29, 1872.

Referred to the committee on Geology, Mines and Mining.

H. B. No 117: To amend section 54 of an act passed April 17, 1867, entitled an act to amend sections 49, 53 and 54 of an act entitled an act to provide for the creation and regulation of incorporated companies in the State of Ohio, passed May 1, 1852, and to repeal the sections so hereby amended.

Referred to the committee on Municipal Corporations.

S. B. No. 18: To amend an act to enable manufacturing companies to capitalize their debts by increasing their capital stock, and creating preference shares, passed April 11, 1862.

Referred to the committee on Corporations other than Municipal.

S. B. No. 23: For the relief of the county treasury of Richland county, Ohio.

Referred to the committee on Finance.

S. B. No. 24: For the relief of medical colleges.

Referred to the committee on Judiciary.

Leave of absence until Tuesday was asked and obtained for Mr. Varley.

On motion of Mr. Baskin, the third reading of H. B. No. 66, to authorize the board of education of Huntington township, Brown county, to levy a special tax to pay an existing indebtedness of school building fund, was postponed until Wednesday next.

Leave of absence was asked and obtained for Mr. Parker until next Monday evening.

H. B. No. 98, to amend section 47 of an act entitled an act for the reorganization and maintenance of common schools, passed May 1, 1873, was read the third time.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 64, nays 4, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Baskin, Bay, Beach, Beatty, Blake, Brunner, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Cole, Coler, Conklin, Conkright, Duncan, Faxon, Haag, Heitmann, Hoagland, Holloway, Holt, Inman, Johnson, Light, Loomis, Mack, Mann, Marx, Martin, McCloud, McKinley, McLain, Mesloh, Miller, Moorehead, Morris, Munson, Murlin, Myers of Ashland, Myers of Fayette, Nelson, Newell, Norton, Pattison, Pearson, Ramsay, Ray, Robb, Sherrick, Stone, Thompson of Montgomery, Tryon, Van Meter, Varley, Vincent, Walker, Watson, Weible, West, White and Williams—64.

Messrs. Barrett, Bell, Harrison and McCoy voted in the negative.

So the bill passed. The title was agreed to.

Mr. Haag moved to reconsider the vote whereby the third reading of H. B. No. 40 was postponed until next Wednesday, and that the bill be read a third time now.

Which was agreed to.

H. B. No. 40, to amend section 7 of an act entitled an act to provide for the election of prosecuting attorneys, and prescribing their duties, passed April 30, 1852, and to repeal the section so hereby amended, was then read the third time.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 69, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barrett, Baskin, Bay, Beach, Beatty, Bell, Blake, Brunner, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Cole, Coler, Conklin, Conkright, Duncan, Faxon, Haag, Harrison, Hatfield, Heitmann, Holloway, Holt, Inman, Johnson, Light, Loomis, Mack, Mann, Marx, Martin, McCloud, McCoy, McKinley, McLain, Mesloh, Miller, Moorehead, Morris, Munson, Murlin, Myers of Fayette, Nelson, Newell, Newton, Oren, Pattison, Ramsay, Ray, Robb, Sheppard, Sherrick, Stone, Thompson of Montgomery, Tryon, Van Meter, Varley, Vincent, Walker, Watson, Weible, West, White and Williams—69.

So the bill passed. The title was agreed to.

The following bills were introduced, and read the first time:

H. B. No. 133—By Mr. Faxon: To authorize the trustees of Lagrange township, Lorain county, to levy a tax for certain purposes therein named.

H. B. No. 134—By Mr. Heitmann: To amend an act entitled an act regulating the charges for transportation of freight upon railroads within the State, passed March 11, 1872.

H. B. No. 135—By Mr. Heitmann: To amend an act entitled an act to

amend section 13 of an act entitled an act to provide for the creation and regulation of incorporated companies in the State of Ohio, passed May 1, 1852, passed April 25, 1873.

H. B. No. 136—By Mr. West: To amend section 27 of an act entitled an act for opening and regulating roads and highways, passed January 27, 1853.

H. B. No. 137—By Mr. Van Meter: An act to amend section 12 of an act entitled an act to establish the independent treasury of the State of Ohio, passed April 12, and took effect July 1, 1858.

H. B. No. 138—By Mr. Tryon: To authorize the commissioners of Lake county to build a county infirmary and to issue bonds therefor.

Mr. Johnson, on leave, presented the petition of L. T. Foster and 175 other citizens of Mahoning county, for the removal of the county seat of said county from the village of Canfield to the city of Youngstown.

Which was referred to the committee on New Counties and County Affairs.

Mr. Ray submitted the following report:

The committee on New Counties and County Affairs, to whom was referred H. B. No. 102, to authorize the commissioners of Guernsey county to transfer to the townships of Beaver, Buffalo, Seneca and Wayne, in Noble county, certain railroad stock held by said Guernsey county, and the payment to said townships of dividends received by said county on said stock; also, all the taxes collected by said county on a certain amount of said railroad lying and being in said Noble county, having had the same under consideration, report it back, and recommend its passage.

HIRAM MURLIN, SHELDEN NEWTON,
S. A. WEST, J. B. RAY.
R. RAMSAY,

Said bill was ordered to be engrossed, and read the third time in two weeks from Wednesday next.

Leave of absence was granted Messrs. Munson, and Baker of Perry until Monday next, and to Mr. Ramsay for time indefinite.

Mr. Loomis offered for adoption the following resolution:

H. J. R. No. 19: WHEREAS, There seems to be a prospect that the sewing machine patent monopoly may be extended by act of Congress, the House committee on Patents having reported favorably on that measure; and

WHEREAS, We believe it to be an attempt of the sewing machine ring, which has rolled in wealth for years past, to extend its monopoly for years to come, to the serious detriment and oppression of the people at large, forcing those who need sewing machines to pay from sixty to one hundred dollars for machines which should be sold from twenty to forty dollars; therefore

Resolved by the General Assembly of the State of Ohio, That our Senators from Ohio in Congress are instructed, and our Representatives from Ohio in Congress are requested, to vote and use their influence against the passage of any act whereby the patents upon any sewing machine may be extended.

Resolved, That the Governor is hereby requested to have forwarded a copy of this resolution to each of our Senators and Representatives from Ohio in Congress.

Mr. Miller moved that the resolutions be laid on the table.

Which was disagreed to.

On motion of Mr. Haag, the resolution was then referred to the committee on Federal Relations.

MESSAGE FROM THE SENATE.

Mr. Speaker :

The Senate has concurred in House amendments to S. J. R. No. 11, by Mr. Seitz, directing inquiry into the expenditures in the construction of the Central Lunatic Asylum.

Attest : S. K. DONAVIN, *Clerk.*

The Speaker appointed as committee on the part of the House on S. J. R. No. 11, Messrs. Brunner, Boyce and Scott.

On motion of Mr. Mann, the House took a recess.

HALF-PAST TWO O'CLOCK P.M.

On leave, the following bills were introduced and read the first time :

H. B. No. 139—By Mr. McCloud : To amend section 13 of an act entitled an act providing for locating, establishing and constructing ditches, drains and water-courses in townships. (O. L., Vol. 69, pp. 45, 46.)

H. B No. 140—By Mr. Sheppard : To amend an act entitled an act to provide for the safety of persons attending public assemblies.

Leave of absence was asked and obtained for Messrs. White and Sherrick for an indefinite time, and for Mr. Barrett until Monday noon.

The following bill was introduced on leave, and read the first time :

H. B. No. 141—By Mr. Mann : To amend an act entitled an act for the reorganization and maintenance of common schools, passed May 1, 1873.

The following communication was received from the Governor :

EXECUTIVE DEPARTMENT,
COLUMBUS, *January* 30, 1874.

To the General Assembly :

I have the honor herewith to transmit a communication from the representatives of the State of Ohio in the United States Centennial Commission, in regard to the progress of the organization and prosecution of the preparatory work for the International Exhibition of 1876, to which I invite your early attention.

Respectfully,

W. ALLEN, *Governor.*

On motion of Mr. McCoy, said communication was referred to the committee on Finance.

Mr. Loomis submitted the following report:

The committee on Deaf and Dumb, Blind and Imbecile Asylums, to whom was referred H. B. No. 112, having had the same under consideration, report it back, with the following amendments, and recommend its passage :

Section 1 shall read as follows : "*Be it enacted by the General Assembly of the State of Ohio*, That a sum not exceeding five hundred dollars be appropriated annually, to be drawn as needed upon the order of the Superintendent of the Ohio Institution for the Blind, for the purpose of purchasing of the American Printing House for the Blind books, maps, and other educational appliances, to be furnished at exact cost of production ; such books, maps and other educational appliances shall be distrib-

uted gratuitously by said Superintendent to such blind persons of Ohio as cannot afford to pay for the same.

N. HATFIELD, E. W. MILLER,
F. R. LOOMIS, J. H. MESLOH.
O. B. CHAPMAN,

The amendments were agreed to, and said bill ordered to be engrossed, and read the third time to-morrow.

Leave of absence was asked and obtained until Monday for Mr. Baker of Coshocton, and for an indefinite time for Mr. Moorehead.

On motion of Mr. Brunner, the House adjourned.

Attest: THOMAS COUGHLIN, *Clerk.*

SATURDAY, JANUARY 31, 1874—10 o'clock A.M.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Blake.

The Journal was read and approved.

Mr. Howland presented the petition of J. D. Hurlbert and 92 other citizens of Ashtabula county, asking an amendment of the municipal code so that territory cannot be annexed to any municipal corporation without the consent of a majority of the legal voters residing upon the territory sought to be annexed.

Which was referred to the committee on Municipal Corporations.

Mr. Eshelman presented the petition of S. S. Simison and 88 other citizens of Columbiana county, praying the General Assembly to pass such laws as will reduce the salaries of office-holders to the average amount which men capable of performing the duties of the offices make in their regular business.

Which was referred to the committee on Fees and Salaries.

Mr. Hill presented the petition of Joshua Copeland and 124 other citizens of Marion county, asking for an alteration in the law regulating the free pike system.

Which was referred to the committee on Roads and Highways.

Mr. Scott presented the petition of J. P. Chusman and 40 other citizens of Warren and Butler counties, praying for the reduction of State and county expenditures and salaries and fees of county officers.

Which was referred to the committee on Fees and Salaries.

Mr. Scott presented the petition of J. W. Culbertson and 26 other citizens of Warren and Butler counties, praying for a speedy return to strict economy in State and county expenditures, and the reduction of salaries and fees of county officers.

Which was referred to the committee on Fees and Salaries.

Mr. Tryon presented the petition of A. R. Hurd and 78 other voters of Lake county, respectfully asking that a law be passed authorizing the commissioners of said county to issue bonds and levy a tax to the amount of $25,000 for the purpose of building a county infirmary.

Which was referred to the committee on New Counties and County Affairs.

Mr. Eshelman presented the memorial of E. Dudley Pocock and 12 other physicians of Wayne county, praying protection against unjust and malicious prosecutions for alleged malpractice.

Which was referred to the committee on Medical Colleges and Societies.

Mr. Green presented the memorial of D. R. Silver, M.D., and 9 other citizens of Shelby county, for the protection of physicians from unjust and malicious prosecutions.

Which was referred to the committee on Medical Colleges and Societies.

A memorial was presented by Mr. Harrison from Daniel Shriner, of Stark county.

Which was referred to the committee on Federal Relations.

Leave of absence was asked and obtained for Messrs. Pattison, and Myers of Ashland until Monday next, and for an indefinite time for Messrs. Faxon and Van Meter.

The following bills were read the second time:

H. B. No. 118: To amend section 2 of an act entitled an act to establish and maintain an agricultural and mechanical college in Ohio, passed March 22, 1870.

Referred to the committee on Agriculture.

H. B. No. 119: To create and establish an election precinct in Jefferson township, Montgomery county, in the State of Ohio, at the National Soldiers' Home, near Dayton.

Referred to the committee on Fees and Salaries.

H. B. No. 120: Amendatory to an act entitled an act for the reorganization and maintenance of common schools, passed May 1, 1873.

Referred to the committee on Common Schools and School Lands.

H. B. No. 121: To authorize the treasurer of Knox county to pay out of the treasury, upon the order of the county commissioners, certain funds derived from the stockholders of the Lake Erie Railroad Company.

Referred to the committee on New Counties and County Affairs.

H. B. No. 122: To prohibit the importation, manufacture and sale of intoxicating liquors as a beverage in the State of Ohio.

Referred to the committee on Temperance.

H. B. No. 123: To amend section 10 of an act entitled an act relating to juries, passed and took effect April 26, 1873.

Referred to the committee on the Judiciary.

H. B. No. 124: To amend an act entitled an act to amend section 62 of an act entitled an act to establish a code of criminal procedure for the State of Ohio, passed May 6, 1869, passed January 29, 1873.

Referred to the committee on the Judiciary.

H. B. No. 125: To amend an act of the jurisdiction and procedure before justices of the peace, and of the duties of constables in civil cases, passed March 14, 1853.

Referred to the committee on the Judiciary.

H. B. No. 126: To repeal section 3 of an act entitled an act, passed April 30, 1862, amendatory of an act entitled an act in addition to the several acts in relation to the courts of justices, and their powers and duties, passed April 10, 1856.

Referred to the committee on the Judiciary.

H. B. No. 127: To amend an act entitled an act to amend an act supplementary to an act defining the jurisdiction and regulating the practice of probate courts, passed March 4, 1853, amended February 20, 1866, as amended March 10, 1873.

Referred to the committee on the Judiciary.

Mr. Morris submitted the following report:

The committee on Revision have examined, and found correctly engrossed, H. B. No. 112.

JONATHAN MORRIS, WILLIAM M. MCKINLEY,
ORVIL BLAKE, GEO. W. BOYCE.

On motion of Mr. Loomis, the third reading of H. B. No. 112, to appropriate five hundred dollars for the benefit of the blind, to purchase books, etc., was postponed until Tuesday next.

The following bills were introduced and read the first time.

H. B. No. 142—By Mr. Heitmann: Supplementary to an act entitled an act supplementary to an act making certain instruments of writing negotiable, passed February 25, 1820, passed March 30, 1857.

H. B. No. 143—By Mr. Weible: To authorize the county commissioners of Van Wert county to build a court-house.

H. B. No. 144—By Mr. Hill: To amend sections 2 and 4 of an act entitled an act to amend sections 1, 2, 3, 4, 5, 6 and 11 of an act entitled an act to authorize county commissioners to construct roads on a petition of a majority of the resident land owners along and adjacent to the line of said road, and to repeal an act therein named, passed March 29, 1868.

H. B. No. 145—By Mr. Baker of Perry: To regulate mines and mining.

H. B. No. 146—By Mr. McKinley: Supplementary to an act entitled an act to provide for the creation and regulation of incorporated companies in the State of Ohio, passed May 1, 1852.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The following bills have been introduced in the Senate, and read the first time:

S. B No. 43: To amend an act entitled an act supplementary to an act to provide for the creation and regulation of incorporated companies in the State of Ohio, passed May 2, 1871.

S. B. No. 44: Supplementary to an act to establish a code of civil procedure, passed May 11, 1853, as amended by act of March 17, 1874. (S. & C., p. 1005.)

S. B. No. 45: To amend section 44 of an act entitled an act for the assessment and taxation of property in this State, and for levying taxes thereon according to its true value in money, as amended May 8, 1868. (S. & S., p. 751.)

S. B. No. 46: To amend an act entitled an act to amend section 540 of the municipal code (66 O. L., p. 241), as amended April 18, 1870 (67 O. L., p. 80), passed March 12, 1873. (70 O. L., p. 63.)

S. B. No. 47: Supplementary to an act entitled an act to exempt specific articles of personal property from execution, passed April 16, 1873.

S. B. No. 48: For the protection of certain burial grounds.

Attest: S. K. DONAVIN, *Clerk.*

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has indefinitely postponed H. B. No. 48, to amend section 17 of an act entitled an act for opening and regulating roads and highways, passed January 27, 1853. (51 O. L., p. 303; S. & C., p. 1289.)

Attest: S. K. DONAVIN, *Clerk.*

Mr. Scott offered the following resolution, which was adopted:

H. R. No. No. 59: *Resolved*, That the Chief Clerk be and he is hereby authorized to assign the Assistant Clerks to such positions and the discharge of such duties as in his opinion they are best qualified to fill or discharge, irrespective of the positions to which they were elected.

Leave of absence was asked and obtained for Mr. Brunner until Monday, and for Mr. Pearson until Thursday next.

On motion of Mr. Scott, the House adjourned.

Attest: THOMAS COUGHLIN, *Clerk.*

MONDAY, FEBRUARY 2, 1874—10 o'clock A.M.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Moore.

The Journal was read and approved.

Mr. Howland presented the petition of D. W. Palmer and 74 other citizens of Ashtabula county, remonstrating against the passage of H. B. No. 35, for the protection of land-owners.

Which was referred to the committee on Agriculture.

Mr. Holloway presented the petition of Geo. R. Gyger and 79 other citizens of Columbiana county, asking for a reduction of salaries of Federal, State, county, township and village officers.

Which was referred to the committee on Fees and Salaries.

Mr. Holloway presented the petition of S. Montgomery and 28 other citizens of Middleton, Columbiana county, asking for a special act for the protection of a certain sidewalk in and near said village.

Which was referred to the committee on Roads and Highways.

Mr. Hoagland presented the petition of the board of education and nineteen other citizens of Salt Creek township, Holmes county, praying for an act to authorize said board to issue bonds to build a school-house.

Which was referred to the committee on Common Schools and School Lands

Mr. Boyce submitted the following report:

The committee on Revision have examined, and found correctly engrossed, House Bills Nos. 26, 39, 42, 73, 78, 82, 83 and 95.

GEO. W. BOYCE, WM. M. MCKINLEY,
JONATHAN MORRIS, ORVIL BLAKE.

The following bills were read the second time:

H. B. No. 128: Supplementary to an act entitled an act to incorporate loan and savings associations, passed and took effect February 26, 1873.

Referred to the committee of the Whole.

H. B. No. 129: Supplementary to an act entitled an act to provide for the creation and regulation of incorporated companies in the State of Ohio, passed May 1, 1852.

Referred to the committee on Judiciary.

H. B. No. 130: To amend section 10 of an act entitled an act for the maintenance and support of illegitimate children, and to repeal said section so amended, passed April 3, 1873.

Referred to the committee on the Judiciary.

H. B. No. 131: To amend section 38 of the act entitled an act relating to wills, and the repeal of former acts relating thereto, passed May 3, 1852.

Referred to the committee on the Judiciary.

H. B. No. 132: To authorize the commissioners of Darke county to levy a tax for agricultural purposes.

Referred to the committee on Agriculture.

H. B. No. 133: To authorize the trustees of Lagrange township, Lorain county, to levy a tax for certain purposes therein named.

Referred to the committee on New Counties and County Affairs.

H. B. No. 134: To amend an act entitled an act to amend an act entitled an act regulating the charges for transporation of freight upon railroads within this State, passed March 11, 1872.

Referred to the committee of the Whole.

H. B. No. 135: To amend an act entitled an act to amend section 10 of an act entitled an act to provide for the creation and regulation of

incorporated companies in the State of Ohio, passed May 1, 1852, passed April 25, 1873.

Referred to the committee of the Whole.

H. B. No. 136: To amend section 27 of an act entitled an act for opening and regulating roads and highways, passed January 27, 1853.

Referred to the committee on Roads and Highways.

H. B. No. 137: To amend section 12 of an act entitled an act to establish the independent treasury of the State of Ohio, passed April 12, and took effect July 1, 1858, so as to make the duties of judges of probate more definite and certain.

Referred to the committee on New Counties and County Affairs.

H. B. No. 138: To authorize the commissioners of Lake county to build a county infirmary, and to issue bonds therefor.

Referred to the committee on New Counties and County Affairs.

H. B. No 139: To amend section 13 of an act entitled an act providing for locating, establishing and constructing ditches, drains and water-courses in townships.

Referred to the committee on Ditches, Drains and Water-courses.

H. B. No. 140: To amend an act entitled an act to provide for the safety of persons attending public assemblies.

Referred to the committee on Privileges and Elections.

H. B. No. 141: To amend an act entitled an act for the reorganization and maintenance of common schools, passed May 1, 1873.

Referred to the committee on Common Schools and School Lands.

H. B. No. 142: Supplementary to an act entitled an act supplementary to an act making certain instruments of writing negotiable, passed February 25, 1820, passed March 30, 1857.

Referred to the committee of the Whole.

H. B. No. 143: To authorize the commissioners of Van Wert county to build a court-house.

Referred to the committee on Fees and Salaries.

Mr. White, on leave, presented the petition of J. K. Davis and 220 other citizens of Mahoning county, asking for the removal of the county seat of Mahoning county from the village of Canfield to the city of Youngstown.

Which was referred to the committee on New Counties and County Affairs.

On motion of Mr. Howland, H. B. No. 6 was taken from the table, and recommitted to the committee on Fees and Salaries.

H. B. No. 42, for the relief of J. G. Brugger, was read the third time.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 63, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Guernsey, Baker of Fairfield, Barnett, Baskin, Bay, Beach, Bell, Blake, Boyce, Case, Carnahan, Cole, Coler, Conklin, Eshelman, Ford, Haag, Harrison, Haven, Heitmann, Hill, Hoagland, Holloway, Howland, Huston, Inman, Johnson, Kemp, Lewis, Light, Loomis, Mack, Mann, Marx, McCloud, MCoy, McKinley, McLain, Mesloh, Miller, Morris, Murlin, Myers of Fayette, Nelson, Newton, Norton, Oren, Poe, Ray, Richards, Robb, Scott, Sheppard, Stone, Tryon, Walker, Watson, Weible, West, White, Williams and Speaker—63.

So the bill passed. The title was agreed to.

The following bills were introduced and read the first time:

H. B. No. 147—By Mr. Holloway: An act amendatory of an act to protect sidewalks, passed April 3, 1867.

H. B. No. 148—By Mr. Coler: To create a joint sub-district for school purposes in the townships of Gratis and Lanier, Preble county, Ohio, and German and Jackson, Montgomery county.

H. B. No. 149—By Mr. Haag: To repeal an act entitled an act to establish a superior court for the city of Cleveland, and to repeal an act therein named, passed May 5, 1873.

H. B. No. 150—By Mr. Hill: Supplementary to an act entitled an act to provide for the creation and regulation of incorporated companies in the State of Ohio, passed May 1, 1852.

H. B. No. 151—By Mr. West: To amend an act entitled an act to provide for a uniform standard of weights and measures, passed April 11, 1861.

Mr. Haag offered for adoption the following resolution:

H. J. R. No. 20: WHEREAS, By an act of the Congress of the United States, approved May 24, 1824, the State of Indiana was authorized to survey and mark through the public lands of the United States the route of a canal by which to connect the navigation of the rivers Wabash and Miami of Lake Erie, in which it was declared that ninety feet of land on each side of said canal should be reserved from sale on the part of the United States, and the use thereof forever be vested in the said State of Indiana for a canal, and for no other purpose whatever; and

WHEREAS, By another act of the Congress of the United States, approved on the second day of March, 1827, there was granted to said State of Indiana a quantity of land equal to one-half of five sections in width on each side of said canal, to aid said State in building the same, and thereby uniting the navigable waters of the Wabash river with those of Lake Erie, which grant was accepted by said State, upon the terms and conditions therein specified, among which were that said canal, when completed, should be and remain forever a public highway; and

WHEREAS, A portion of the line of said canal necessarily extended into the State of Ohio, and by another act of Congress, approved May 24, 1828, the State of Indiana was authorized to convey and relinquish to the State of Ohio the right and interest granted to said State of Indiana to any lands within the limits of the State of Ohio granted to said State of Indiana by the act of March 2, 1827, aforesaid; and

WHEREAS, On the third day of October, 1829, Jeremiah Sullivan, of the State of Indiana, and Wyllys Silliman, of the State of Ohio, as commissioners, duly appointed for the purpose by their respective States, did enter into an agreement as such commissioners, subject to rejection or such alterations and modifications as might thereafter be mutually agreed upon by the Legislatures of said States, by which it was provided that the said State of Indiana should cede that portion of the land grant before referred to which was within the limits of the State of Ohio to said State, upon condition that the State of Ohio would commence the construction of so much of said canal as lies within her limits within five years from the first day of January, 1830, and complete the same within fifteen years thereafter, the said State of Indiana agreeing in like manner to complete the portion of said canal lying within her limits within fifteen years from said first day of January, 1830; and said canal, when completed, to be open to navigation, not only to the citizens of said States of Indiana and Ohio upon terms of equality, but to citizens of other States upon the same terms, which agreement was declared to be perpetual between the States of Indiana and Ohio; and

WHEREAS, The General Assembly of the State of Ohio, by joint resolu-

tion adopted January 27, 1834, advised the said State of Indiana that the State of Ohio was willing to accept from said State of Indiana a conveyance and relinquishment of the lands aforesaid upon conditions set forth in the preamble attached thereto, whereupon, to wit, on the first day of February, 1834, the General Assembly of said State of Indiana, by joint resolution on that day approved, and with a view, as declared in the preamble to the same, of promoting the interests and prosperity of the citizens of Ohio and Indiana, did resolve as follows:

Resolved by the General Assembly of the State of Indiana, That in consideration of the following terms and conditions to be performed by the State of Ohio, to wit:

First—The State of Ohio to construct and keep in repair a canal from the intersection of the Wabash and Erie canal with the State line dividing Indiana and Ohio to a point as low down the Maumee river towards Lake Erie as the towns of Maumee and Perrysburg, the dimensions of which shall not be less in width at the top water line than forty feet, and of a capacity not less than four feet water; the locks and aqueducts to be constructed of sufficient dimensions to admit the passage of as large boats as can be passed on similar structures on that part of the Wabash and Erie canal which lies in Indiana; the said canal, when completed, to be and forever remain a public highway for the use of the government of the United States, free from any toll or other charge whatever, for any property of the United States or persons in their service passing through the same.

Second—The State of Ohio to charge no higher toll to citizens of Indiana or other persons passing on or transporting freights on said canal than shall be charged to or paid by the citizens of Ohio, nor higher rates of toll than shall be charged on the principal canals in Ohio.

Third. The State of Ohio to complete said portion of the Wabash and Erie canal on or before the second of March, 1847, and to undertake the performance to the General Government of all the stipulations and conditions required by the aforesaid act of Congress, approved the second day of March, 1827, which the State of Indiana would have been held and bound in good faith to perform, provided she had constructed this part of the canal in the State of Ohio, and have selected and appropriated to her own use the lands which are herein transferred and relinquished.

Fourth, and lastly—The State of Ohio, by her official act to accept of the terms and conditions of this transfer and conveyance of said lands, and communicate the same to the Governor of this State on or before the thirty-first day of March next;

The State of Indiana doth hereby grant, quit claim, relinquish and convey to the State of Ohio all her right, title and interest in and to all the lands lying and being situated in the State of Ohio, which the said State of Indiana derived by or in virtue of, through or from the act of Congress entitled an act to grant a certain quantity of land to the State of Indiana for the purpose of aiding said State in the opening of a canal to connect the waters of the Wabash river with those of Lake Erie, approved March 2, 1827, and hereby authorize the State of Ohio to receive from the General Government the lands aforesaid, and to select the same according to the provisions of said act of Congress, in as full right and manner as if the said canal was to be constructed by the State of Indiana, and the lands selected and set apart by her authority; and

WHEREAS, The said joint resolution of the General Assembly of said

State of Indiana, of February 1, 1834, was duly communicated to the General Assembly of the State of Ohio, and on consideration of the same said General Assembly did, on the twenty-fourth day of February, 1834, adopt the following joint resolution, first reciting and setting out in full, in a preamble to the same, the terms and conditions of the cession, as embraced in said joint resolution of the General Assembly of the State of Indiana, of February 1, 1834 to wit:

Resolved by the General Assembly of the State of Ohio, That in consideration of the relinquishment, transfer and conveyance by the State of Indiana to the State of Ohio of said lands lying in the State of Ohio, granted by Congress to the State of Indiana by the act of the second of March, 1827, to aid said State in opening a canal to unite at navigable points the waters of the Wabash river and those of Lake Erie, the State of Ohio agrees to and accepts the relinquishment, transfer and conveyance of said land, on the terms and conditions on which said relinquishment, transfer and conveyance are made, and accepts all and singular the terms and conditions of said resolution, as contained in the first, second, third and fourth articles or sections of said resolution, and hereby pledges herself to the performance thereof fully and to all intents and purposes as the same are therein contained and expressed; and

WHEREAS, The State of Ohio did construct that portion of said canal lying within her limits within the time prescribed, in all respects making the same equal to the requirements of said joint resolution of February 1, 1834, and ever since has maintained said canal in good navigable order, and held it subject to the use of the Government of the United States as a public highway, free from any tolls or other charges whatever for any property of the United States or persons in their service passing through the same, and at all times has permitted the citizens of Indiana and all other persons passing on or transporting freights on said canal to do so in respect to tolls and all other privileges on the same terms accorded to citizens of Ohio, and at a rate of toll no higher than was charged on the principal canals in Ohio; and

WHEREAS, In the building of said canal the State of Ohio expended a large amount of money over and above the proceeds arising from the sale of the lands conveyed to her by the State of Indiana, looking to be reimbursed for the original expenditures, and for means for the future support and maintenance of said canal, to the tolls derived from the commerce which it was expected would grow up and be maintained on said canal from and to points within the State of Indiana and Lake Erie, it being well understood between the parties that said State of Indiana was in like manner to construct and maintain in good navigable order, from the line dividing said States into the interior of said State of Indiana as far as she accepted and received the grant of land under the act of March 2, 1827, a canal in all respects equal to that portion of said canal within the State of Ohio, as prescribed in the first section or article of the joint resolution of said State of Indiana, of February 1, 1834; and

WHEREAS, It appears that, by subsequent action of the State of Indiana, that portion of said Wabash and Erie canal within the limits of said State, together with its tolls, revenues, profits and appurtenances, has been conveyed in trust, as a fund to pay the obligations due to certain bondholders of said State of Indiana, and said canal has been turned over to the management of a board of trustees created for that purpose, who in turn have leased said canal to a private company, by whom it is now operated and managed, without, as it is believed, any official oversight or control

on the part of said State being exercised over said canal or its management; and

WHEREAS, That portion of the Ohio and Erie canal lying between Terre Haute and the Ohio river at Evansville, in Indiana, has already been abandoned, and portions of said canal for some distance above Terre Haute are not now, and for some time past have not been in good navigable order, and in the present condition of said canal between Terre Haute and the line dividing the States of Ohio and Indiana, it is believed that the tolls and other sources of revenue are insufficient to keep and maintain said canal in good navigable order; and it appearing from the terms of the contract between the trustees and the company now operating said canal from Terre Haute to the Ohio State line that said company is not bound to make advances for the support and maintenance of the same, nor is it liable as a company or individually for damages sustained by third parties, by reason of its inability to sustain the canal out of the revenues of the same; and

WHEREAS, The present condition of the said Wabash and Erie canal, in the State of Indiana, is not only a matter of deep concern to the citizens of the State of Ohio connected with the commerce on said canal, but is calculated to arouse fears that the abandonment of the same is inevitable unless prompt pecuniary aid be given to put and keep the same in good navigable order; and

WHEREAS, The failure to keep up and maintain the Wabash and Erie canal, in the State of Indiana, in good navigable condition, is a source of great damage to citizens of Ohio doing business on said canal, and its abandonment would work an irreparable injury to the State of Ohio; therefore

Resolved by the General Assembly of the State of Ohio, That our Senators in Congress be instructed, and our Representatives in Congress be requested, to use their utmost endeavors to procure such legislation by Congress as may be necessary to compel the State of Indiana to perform her part of the contract, and to keep her portion of said canal in good navigable condition.

Resolved, That the Governor of this State be hereby required to forward a copy of the foregoing resolution to our Senators and Representatives in Congress.

On motion of Mr. Haag, said resolution was laid on the table, and ordered to be printed.

Mr. McCloud submitted the following report:

The committee on Military Affairs, to whom was referred H. J. R. No. 18, relative to the State debt for arms, etc., furnished by the General Government, having had the same under consideration, report it back, and recommend that it be adopted.

WM. M. MCKINLEY, G. H. FORD,
JOHN L. MYERS, R. C. MCCLOUD.
JAMES WATSON,

The question being on the adoption of said resolution, the yeas and nays were ordered, and resulted—yeas 57, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Guernsey, Baker of Fairfield, Barnett, Baskin, Bay, Beach, Bell, Blake, Boyce, Case, Carnahan, Chapman of Meigs, Cole, Coler, Conklin, Eshelman, Ford, Green, Haag, Harrison, Haven, Heitmann, Herron, Hill, Hoagland, Holloway, Howland, Inman, John-

son, Kemp, Lewis, Light, Loomis, Mack, Mann, Marx, McCloud, McCoy, McKinley, McLain, Mesloh, Miller, Morris, Murlin, Myers of Fayette, Neff, Nelson, Newton, Norton, Oren, Poe, Ray, Richards, Robb, Scott, Sheppard, Stone, Tryon, Vincent, Walker, Watson, Weible, West, White and Williams—57.

So the resolution was adopted.

On motion of Mr. Eshelman, the House took a recess.

HALF-PAST TWO O'CLOCK P.M.

The following bills were introduced on leave, and read the first time:

H. B. No. 152—By Mr. Eshelman: Making partial appropriations for the year 1874.

H. B. No. 153—By Mr. Van Meter: To amend an act entitled an act to amend section 14 of an act entitled an act concerning the relation of guardian and ward, passed April 12, 1858, passed and took effect March 31, 1864.

Mr. Heitmann, on leave, presented the petition of George C. Wilson, of Franklin county, praying to allow the petitioner seventy dollars for work performed by him for the Legislature in 1865.

Which was referred to the committee on Claims.

Mr. Oren submitted the following report:

The committee on Railroads and Telegraphs, to whom was referred H. B. No. 59, to amend section 1 of an act entitled an act providing for inclosing railroads by fences and cattle-guards, as amended April 26, 1871, having had the same under consideration, report it back, with the following amendments, and recommend that the bill, as amended, be engrossed and passed.

J. N. Oren, Thos. H. Baskin,
M. A. Hoagland, T. M. Bay.

The amendments were agreed to.

The bill was ordered to be engrossed, and read a third time on Wednesday next.

Mr. Watson submitted the following report:

The committee on Military Affairs, to whom was referred H. B. No. 32, to authorize the trustees of Seneca township, Monroe county, to levy a tax to pay bounties to certain volunteers, having had the same under consideration, report it back, and recommend that it be engrossed and passed.

R. C. McCloud, John L. Myers,
J. M. Cooley, James Watson,
Wm. M. McKinley, G. H. Ford.

The bill was ordered to be engrossed, and read the third time on Thursday next.

Mr. Hodge, on leave, presented the remonstrance of A. T. Brinsmade and other citizens of Cuyahoga county, against the passage of H. B. No. 35.

Which was referred to the committee on Agriculture.

On motion of Mr. Heitman, the House resolved itself into committee of the Whole upon the orders of the day—Mr. Case in the chair. After some time spent therein, the committee rose and reported back the following bills, and asked leave to sit again:

H. B. No. 134, to amend an act entitled an act to amend an act entitled an act regulating the charges for transportation of freight upon railroads within this State, passed March 11, 1872, with the following amendment:

"Strike out in line 13 the words "one hundred dollars," and insert the following, to wit: "twenty-five dollars, to be recovered in the action herein provided to be brought, in the name of the State of Ohio, by the prosecuting attorney."

On motion of Mr. Heitmann, the bill and amendment were referred to the committee on Railroads and Telegraphs.

Also, H. B. No. 135, to amend an act entitled an act to amend section 13 of an act entitled an act to provide for the creation and regulation of incorporated companies in the State of Ohio, passed May 1, 1852, passed April 25, 1873.

On motion of Mr. Heitmann, said bill was referred to the committee on Railroads and Telegraphs.

Also, H B. No. 10, for the repeal of an act passed May 3, 1873, to require county commissioners to construct approaches to bridges.

Mr. Haag moved to recommit the bill to the committee on Railroads and Telegraphs.

Mr. Armstrong of Guernsey moved that said bill be indefiinitely postponed.

Mr. Scott moved to lay the bill on the table.

Which was agreed to.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate insists on its amendments to H. B. No. 72, making appropriations for the Constitutional Convention and General Assembly, and requests a committee of conference thereon.

The President has appointed Messrs. Thompson, Newman and Curtiss such committee on the part of the Senate.

Attest: S. K. DONAVIN, *Clerk.*

Mr. Eshelman moved that the House accede to the request of the Senate.

Which was agreed to.

Messrs. Eshelman, Howland and Kemp were appointed such committee on the part of the House.

Mr. Scott offered the following resolution, which was adopted:

H. R. No. 60: *Resolved*, That the Trustees of the Central and Northern Lunatic Asylums respectively be and they are hereby directed to report to this House, at the earliest day possible, the following information, to wit:

1st. The contract prices at which the work and provision of materials were let for the building of their respective asylums now being erected, and the names of the persons to whom the contracts were awarded.

2d. Whether the contractors are fully complying with the conditions of their contracts; and if not, in what particulars they have failed.

3d. What amount of labor has been done or material furnished on each contract, and on what part of the building the work has been done, or for which the materials have been furnished.

4th. What amount of money has been paid, on estimates, on each contract, and the amount yet to be paid on said contracts.

5th. Whether the contracts made comprehend the entire buildings they were authorized to erect by law; if not, what additional contracts are necessary to complete the work on the buildings, and the probable cost of the same.

6th. What progress will probably be made in the construction of said buildings in the coming year, and what appropriations, in addition to ap-

propriations already made, will be necessary to pay the expenses of the same.

Mr. Scott offered the following, which was adopted:

H. R. No. 61: WHEREAS, The Sinking Fund Commissioners in their last report express a doubt of the legality of transferring any portion of the sinking fund to any of the other State funds; therefore

Resolved, That the Attorney-General be required to report to this House his opinion, whether money collected by taxation for the imbursement of any of the State funds, or a specific purpose, can be constitutionally transferred to another fund or used for any other purpose than that for which it was collected, so long as the purpose or purposes for which it was collected exist.

Which was agreed to.

Mr. Blake offered for adoption the following resolution:

H. J. R. No. 21: *Resolved by the General Assembly of the State of Ohio*, That the committee on Retrenchment be instructed to inquire into the expediency of using stone coal for warming the State House, instead of coke, as now used.

The resolution was adopted.

On motion of Mr. Haag, the House adjourned.

Attest: THOMAS COUGHLIN, *Clerk*.

TUESDAY, FEBRUARY 3, 1874—10 o'clock A.M.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Moore.

The Journal was read and approved.

Mr. Inman presented the petition of Peter Burgoon and 165 other citizens of Sandusky county, for the repeal of an act entitled an act to confer additional powers on the Board of Public Works to regulate and collect tolls on the Western Reserve and Maumee road, passed April 28, 1873.

Which was referred to the committee on Public Works.

Mr. Coler presented the petition of Jacob Mullendore and 19 other citizens of the townships of Gratis and Lanier, Preble county, and the townships of Jackson and German, Montgomery county, praying the creation of a joint sub-school district in said townships.

Which was referred to the committee on Common Schools and School Lands.

Mr. Richards presented the memorial of Thomas Johnson, M.D., and 22 other citizens of Jefferson county, praying for an act to protect surgeons against unjust and malicious prosecutions for malpractice.

Which was referred to the committee on Medical Colleges and Societies.

Mr. Green presented the petition of R. D. Elliott and five other citizens of Shelby county, for the attachment of the north one-half of section 28, township 7, south, range 6, east, to joint subdivision No. 7, Franklin township, Shelby county, Ohio.

Which was referred to the committee on Common Schools and School Lands.

Mr. Faxon presented a resolution of the Lorain County Agricultural Society, asking that the game laws of Ohio be amended.

Which was referred to to the committee on Agriculture.

Mr. Sater presented the petition of the county officials of Hamilton county, asking the passage of H. B. No. 58.

Which was laid on the table.

Mr. Munson presented the petition of Mr. Lehr and 63 other citizens of Hardin county, asking for certain changes in the existing school laws.

Which was referred to the committee on Common Schools and School Lands.

Mr. McKinley presented the remonstrance of Charles L. Turley and 205 other citizens of Hancock county, protesting against the passage of H. B. No. 35.

Which was referred to the committee on Agriculture.

Mr. Kemp presented the petition of George E. Borntz and 31 other citizens of Butler county.

Which was referred to the committee on Railroads and Telegraphs.

Mr. McKinley submitted the following report:

The committee on Revision have examined, and found correctly engrossed, House Bills Nos. 69, 37 and 5.

ORVIL BLAKE, WM. M. MCKINLEY,
GEO. W. BOYCE, JOHNSON SHERRICK.
JON. MORRIS,

The following bill was read the second time:

H. B. No. 144: To amend sections 2 and 4 of an act entitled an act to amend sections 1, 2, 4, 5, 6 and 11 of an act entitled an act to authorize county commissioners to construct roads on petition of a majority of the resident land-owners along and adjacent to the line of said road, and to repeal an act therein named, passed March 29, 1868.

Referred to the committee on Roads and Highways.

H. B. No. 112, to appropriate five hundred dollars for the benefit of the blind, to purchase books, etc., was read the third time.

Mr. Eshelman moved that said bill be recommitted to the committee on Finance.

Mr. Heitmann moved to recommit the bill to a select committee of one, with instructions to insert after the word "annually" the words "for two years."

Mr. Eshelman's motion having precedence, was first put, and agreed to, and the bill recommitted to the committee on Finance.

H. B. No. 11, for the relief of securities, was read the third time.

Mr. Grosvenor moved to refer the bill to a select committee of one, with instructions to amend as follows:

At close of first section add: "Provided, that the provisions of this act shall not apply to cases in which a defense by way of set-off or counter-claim shall have been interposed by the defendant after the entering of the security for costs."

Which was disagreed to.

Mr. Harrison moved that the bill be referred to a select committee of one, with instructions to amend as follows:

Strike out in line 4 the words "and that."

Which was disagreed to.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 88, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Armstrong of Guernsey, Baker

of Fairfield, Baker of Perry, Barnett, Barrett, Baskin, Bay, Beach, Beatty, Bell, Blake, Boyce, Brunner, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Cole, Coler, Cooley, Conklin, Conkright, Duncan, Eshelman, Faxon, Ford, Gowey, Green, Grosvenor, Haag, Harrison, Heitmann, Herron, Hill, Hoagland, Hodge, Holloway, Holt, Howland, Huston, Inman, Johnson, Kemp, Lewis, Light, Loomis, Mack, Mann, Marx, Martin, McCoy, McKinley, McLain, Mesloh, Miller, Moorehead, Morris, Munson, Murlin, Myers of Ashland, Neff, Nelson, Newell, Newton, Norton, Oren, Pattison, Poe, Ray, Richards, Robb, Sater, Scott, Sheppard, Stone, Thompson of Lucas, Thompson of Montgomery, Tryon, Van Meter, Vincent, Walker, Watson, Weible, West, White and Williams—88.

So the bill passed. The title was agreed to.

H. B. No. 26, to establish a joint sub-school district in Shelby county, was read the third time.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 67, nays 1, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Armstrong of Guernsey, Baker of Fairfield, Baker of Perry, Barrett, Baskin, Bay, Beach, Blake, Brunner, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Cole, Coler, Cooley, Conklin, Conkright, Eshelman, Ford, Gowey, Green, Harrison, Heitmann, Herron, Hill, Hodge, Holt, Howland, Huston, Inman, Johnson, Kemp, Lewis, Mack, Mann, Marx, Martin, McCoy, McKinley, McLain, Mesloh, Miller, Morris, Munson, Murlin, Myers of Ashland, Neff, Nelson, Newell, Norton, Pattison, Poe, Ray, Richards, Robb, Sater, Sherrick, Stone, Tryon, Van Meter, Vincent, Walker, Watson, Weible and Williams—67.

Mr. Grosvenor voted in the negative.

So the bill passed. The title was agreed to.

H. B. No. 47, to amend section 92 of an act entitled an act of the jurisdiction and procedure before justices of the peace and of constables in civil courts, passed March 14, 1853, was read the third time.

Mr. Coler moved to refer the bill to a select committee of one, with instructions to amend as follows: In section 1, line six, after the word received, strike out "one dollar," and insert "seventy-five cents."

On which motion the yeas and nays were demanded, ordered, and resulted—yeas 22, nays 64, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Guernsey, Barnett, Barrett, Coler, Conkright, Ford, Gowey, Grosvenor, Haag, Harrison, Hill, Hoagland, Hodge, Morris, Myers of Ashland, Neff, Pattison, Scott, Sherrick, Walker and West—22.

Those who voted in the negative were—

Messrs. Archer, Armstrong of Belmont, Baker of Fairfield, Baker of Perry, Baskin, Bay, Beach, Beatty, Bell, Blake, Boyce, Brunner, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Cole, Cooley, Conklin, Duncan, Eshelman, Faxon, Green, Heitmann, Herron, Holloway, Holt, Howland, Huston, Inman, Kemp, Light, Loomis, Mack, Mann, Marx, Martin, McCoy, McKinley, McLain, Mesloh, Miller, Moorehead, Munson, Murlin, Nelson, Newell, Newton, Norton, Oren, Ray, Richards, Robb, Sater, Sheppard, Stone, Thompson of Lucas, Thompson of Montgomery, Tryon, Van Meter, Vincent, Watson, Weible, White and Williams—64.

So the motion was disagreed to.

Mr. Light moved to refer said bill to a select committee of one, with

instructions to amend as follows: Insert after the word "dollar," in the sixth line, "for each day during such trial."

Which was agreed to, and Mr. Light appointed said committee.

Mr. Light asked leave to make a report from a select committee.

Mr. McCoy moved to suspend the rule, and that the committee have leave to report now.

On which motion the yeas and nays were demanded, ordered, and resulted—yeas 66, nays 13, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Armstrong of Guernsey, Baker of Fairfield, Baker of Perry, Barrett, Baskin, Bay, Beach, Beatty, Bell, Blake, Brunner, Chapman of Cuyahoga, Cole, Coler, Cooley, Conklin, Conkright, Faxon, Green, Grosvenor, Harrison, Heitmann, Herron, Holloway, Holt, Howland, Huston, Inman, Johnson, Kemp, Light, Loomis, Mack, Mann, McCoy, McKinley, McLain, Mesloh, Miller, Moorehead, Munson, Murlin, Myers of Ashland, Nelson, Newell, Newton, Norton, Oren, Ray, Richards, Sater, Sheppard, Stone, Thompson of Lucas, Thompson of Montgomery, Tryon, Van Meter, Vincent, Walker, Watson, Weible, West, White and Williams—66.

Those who voted in the negative were—

Messrs. Barnett, Duncan, Eshelman, Ford, Gowey, Haag, Hill, Hoagland, Marx, Morris, Pattison, Robb and Sherrick—13.

Mr. Light submitted the following report:

The select committee of one to whom was referred H. B. No. 47, reports the same back, amended as instructed.

GEO. W. LIGHT.

Mr. Harrison then moved to recommit the bill to the committee on Revision, with instructions to amend as follows: Insert in section 1, line nine, after the words "paid to," the word "them."

Which was disagreed to.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 58, nays 29, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Armstrong of Guernsey, Baker of Fairfield, Baker of Perry, Baskin, Bay, Beach, Beatty, Bell, Blake, Boyce, Brunner, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Cole, Coler, Cooley, Conklin, Faxon, Green, Heitmann, Herron, Hodge, Holloway, Holt, Howland, Huston, Inman, Kemp, Light, Loomis, Mack, Mann, Martin, McCoy, McKinley, McLain, Moorehead, Munson, Murlin, Nelson, Newell, Newton, Oren, Richards, Sater, Sheppard, Stone, Thompson of Lucas, Thompson of Montgomery, Tryon, Van Meter, Vincent, Weible, White and Williams—58.

Those who voted in the negative were—

Messrs. Barnett, Barrett, Conkright, Duncan, Eshelman, Ford, Gowey, Grosvenor, Haag, Harrison, Hill, Hoagland, Holt, Johnson, Marx, Mesloh, Miller, Morris, Myers of Ashland, Neff, Norton, Pattison, Ray, Robb, Scott, Sherrick, Walker, Watson and West—29.

So the bill passed. The title was agreed to.

On motion of Mr. Brunner, the House took a recess.

HALF-PAST TWO O'CLOCK P.M.

Mr. Eshelman submitted the following report:

The committee of conference on the matters of difference between the

Senate and House of Representatives as to H. B. No. 72, and the amendments of the Senate thereto, having had the same under consideration, report the committee are unable to agree and ask to be discharged.

JOHN G. THOMPSON,
JAS. W. NEWMAN,
H. W. CURTISS,
Senate Committee.

E. B. ESHELMAN,
W. P. HOWLAND,
JACOB KEMP,
House Committee.

On motion of Mr. Mann, the committee were discharged.

Mr. Holloway, on leave, presented the remonstrance of Dr. B. W. Spear, Joshua Bowman and 327 other citizens of Goshen township, Mahoning county, remonstrating against the passage of an act authorizing the removal of the seat of justice of Mahoning county from Canfield to Youngstown.

Which was referred to the committee on New Counties and County Affairs.

Mr. Holloway, on leave, presented the remonstrance of Henry Beard, Deacon Cook and 391 other citizens of Green township, Mahoning county, resmonstrating against the passage of an act authorizing the removal of the county seat of Mahoning county from Canfield to Youngstown.

Which was referred to the committee on New Counties and County Affairs.

Mr. Holloway, on leave, presented the remonstrance of George Carson, Adna B. Silvers and 197 other citizens of Berlin township, Mahoning county, remonstrating against the passage of an act authorizing the removal of the seat of justice of Mahoning county from Canfield to Youngstown.

Which was referred to the committee on New Counties and County Affairs.

Mr. Holloway, on leave, presented the remonstrance of Hon. George Brook, Isaac Bowman and 150 other citizens of Ellsworth township, Mahoning county, remonstrating against the passage of an act authorizing the removal of the seat of justice of Mahoning county from Canfield to Youngstown.

Which was referred to the committee on New Counties and County Affairs.

Leave of absence for an indefinite time was granted to Mr. Myers of Fayette on account of sickness.

H. B. No. 52, to amend an act entitled an act for the reorganization and maintenance of common schools, passed May 1, 1873, was read the third time.

Mr. Armstrong of Guernsey moved that the bill be recommitted to a select committee of one, with instructions to amend as follows:

Strike out all after "board," in line 5, to the word "report," in line 8, and insert "all money or miscellaneous receipts shall be paid to the treasurer of the board of education, who shall give duplicate receipts, one of which shall be filed with the clerk of said board, who shall charge said treasurer with the amount of said receipt, and."

Which was disagreed to.

Mr. Baker of Fairfield moved to refer the bill to a select committee of

one, with instructions to amend as follows: In section 1, line 5, strike out the words "by the president, and countersigned."

Which was disagreed to.

The question then being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 78, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Armstrong of Guernsey, Baker of Fairfield, Baker of Perry, Barnett, Baskin, Bay, Beach, Bell, Blake, Boyce, Brunner, Case, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Cole, Coler, Cooley, Conklin, Conkright, Duncan, Eshelman, Faxon, Green, Grosvenor, Haag, Harrison, Haven, Heitmann, Herron, Hill, Hoagland, Holloway, Holt, Howland, Huston, Inman, Johnson, Kemp, Lewis, Loomis, Mack, Mann, Marx, Martin, McCloud, McCoy, McKinley, McLain, Mesloh, Miller, Moorehead, Morris, Munson, Murlin, Neff, Nelson, Newell, Newton, Norton, Oren, Pattison, Poe, Ray, Richards, Robb, Sater, Scott, Sheppard, Sherrick, Stone, Thompson of Lucas, Thompson of Montgomery, Tryon, Van Meter, Vincent, Walker, Watson, Weible, West and Williams—78.

So the bill passed. The title was agreed to.

On motion of Mr. Boyce, H. B. No. 58 was committed to the committee on Judiciary.

H. B. No. 69, for the relief of Joseph S. Pierce, was read the third time.

Mr. Haag moved to recommit the bill to a select committee of one, with instructions to amend as follows: Strike out the words "a majority," in line 14, section 1, and insert the words "three-fourths."

Which was agreed to, and Mr. Haag appointed as said committee, who, on leave, reported the bill back, amended as instructed.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 78, nays 2, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Baker of Fairfield, Baker of Perry, Barnett, Bay, Beach, Bell, Blake, Boyce, Brunner, Case, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Cole, Coler, Cooley, Conklin, Conkright, Duncan, Eshelman, Gowey, Grosvenor, Haag, Harrison, Haven, Herron, Hill, Hoagland, Hodge, Holt, Howland, Huston, Inman, Johnson, Lewis, Light, Loomis, Mack, Mann, Marx, Martin, McCloud, McCoy, McKinley, McLain, Mesloh, Miller, Moorehead, Morris, Munson, Murlin, Myers of Ashland, Neff, Nelson, Newell, Newton, Norton, Oren, Pattison, Poe, Ray, Richards, Robb, Sater, Sheppard, Sherrick, Stone, Thompson of Lucas, Thompson of Montgomery, Tryon, Van Meter, Vincent, Walker, Weible, West, White and Williams—78.

Messrs. Armstrong of Guernsey, and Baskin voted in the negative.

So the bill passed. The title was agreed to.

H. B. No. 73, to amend sections 93 and 96 of an act entitled an act for the reorganization and maintenance of common schools, passed May 1, 1873, was read the third time.

Mr. Scott moved to recommit the bill to a select committee of one, with instructions to amend as follows: Strike out the words "gymnastics" and "French," in lines 13 and 14, section 93.

Mr. Scott, on leave, withdrew his motion to recommit.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 60, nays 27, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Armstrong of Guernsey, Baker of Perry, Barrett, Bay, Beach, Beatty, Bell, Blake, Brunner, Case, Carnahan, Chapman of Cuyahoga, Cooley, Duncan, Eshelman, Faxon, Gowey, Green, Haag, Harrison, Haven, Heitmann, Herron, Hoagland, Hodge, Holt, Inman, Johnson, Kemp, Lewis, Light, Loomis, Mack, Mann, Marx, Martin, McCoy, McLain, Mesloh, Miller, Moorehead, Munson, Nelson, Norton, Oren, Pattison, Poe, Ray, Robb, Sheppard, Sherrick, Thompson of Lucas, Thompson of Montgomery, Tryon, Watson, Weible, West and Williams—60.

Those who voted in the negative were—

Messrs. Baker of Fairfield, Barnett, Baskin, Boyce, Chapman of Meigs, Coler, Conklin, Conkright, Grosvenor, Hill, Holloway, Howland, Huston, McCloud, McKinley, Morris, Murlin, Newell, Newton, Richards, Sater, Scott, Stone, Van Meter, Vincent, Walker and White—27.

So the bill passed. The title was agreed to.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has refused to recede from its amendments to H. B. No. 72, making appropriations for the Constitutional Convention and General Assembly.

Attest: S. K. DONAVIN, *Clerk.*

Mr. Scott moved that the message be laid on the table.

Which was agreed to.

H. B. No. 78, to authorize the trustees of Delaware township, Delaware county, to borrow money to assist in building a bridge, was read the third time.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 73, nays 11, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Baker of Fairfield, Baker of Perry, Barrett, Baskin, Beach, Beatty, Bell, Blake, Boyce, Brunner, Case, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Cole, Cooley, Conkright, Duncan, Faxon, Ford, Gowey, Haag, Harrison, Haven, Heitmann, Herron, Hill, Hodge, Holt, Howland, Huston, Johnson, Kemp, Lewis, Light, Loomis, Mack, Mann, Marx, Martin, McClould, McCoy, McKinley, McLain, Mesloh, Miller, Moorehead, Morris, Munson, Murlin, Myers of Ashland, Neff, Nelson, Newell, Newton, Norton, Oren, Pattison, Poe, Ray, Richards, Robb, Scott, Stone, Thompson of Lucas, Thompson of Montgomery, Van Meter, Weible, West, White and Williams—73.

Those who voted in the negative were—

Messrs. Armstrong of Guernsey, Barnett, Bay, Conklin, Grosvenor, Hoagland, Inman, Sater, Sheppard, Sherrick and Vincent—11.

So the bill passed. The title was agreed to.

Mr. Pattison submitted the following report:

The joint committee on Enrollment have examined, and found correctly enrolled, the following joint resolution:

H. J. R. No. 5: Providing for printing the rules and joint rules of the two Houses of the General Assembly, together with the standing committees, the list of members, officers, etc.

J. M. PATTISON, J. C. FISHER,
L. A. BRUNNER, S. KNOX,
B. NEFF, A. M. BURNS,
O. B. CHAPMAN, M. C. LAWRENCE.
H. M. CHAPMAN,

The Speaker then, in the presence of the House, signed said resolution.

H. B. No. 82, to amend an act entitled an act to prevent and punish the adulteration of milk and cheese, passed March 23, 1865, as amended March 14, 1871, was read the third time.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 69, nays 2, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Armstrong of Guernsey, Baker of Fairfield, Baker of Perry, Barnett, Barrett, Baskin, Bay, Beach, Beatty, Boyce, Brunner, Case, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Cole, Coler, Cooley, Conklin, Conkright, Duncan, Eshelman, Faxon, Gowey, Grosvenor, Harrison, Heitmann, Herron, Hoagland, Holloway, Howland, Huston, Inman, Johnson, Kemp, Lewis, Loomis, Mack, Mann, Marx, McCloud, McKinley, McLain, Mesloh, Miller, Moorehead, Munson, Murlin, Neff, Nelson, Newton, Norton, Pattison, Richards, Robb, Scott, Sheppard, Stone, Thompson of Lucas, Thompson of Montgomery, Tryon, Van Meter, Walker, Weible, West, White and Williams—69.

Messrs. Blake and Haven voted in the negative.

So the bill passed. The title was agreed to.

H. B. No. 83, to amend section 27 of an act entitled an act for the reorganization and maintenance of common schools, passed May 1, 1873, was read the third time.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 77, nays 1, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Guernsey, Baker of Fairfield, Baker of Perry, Barnett, Barrett, Bay, Beach, Bell, Blake, Case, Carnahan, Chapman of Cuyahoga, Coler, Cooley, Conklin, Conkright, Duncan, Eshelman, Faxon, Gowey, Green, Grosvenor, Harrison, Haven, Heitmann, Herron, Hill, Hoagland, Hodge, Holloway, Holt, Huston, Inman, Johnson, Kemp, Lewis, Light, Loomis, Mack, Mann, Marx, Martin, McCloud, McCoy, McKinley, McLain, Mesloh, Miller, Moorehead, Munson, Murlin, Myers of Ashland, Neff, Nelson, Newton, Norton, Oren, Pattison, Poe, Ray, Robb, Sater, Scott, Sheppard, Sherrick, Stone, Thompson of Lucas, Thompson of Montgomery, Tryon, Van Meter, Vincent, Walker, Watson, Weible, West, White and Williams—77.

Mr. Ford voted in the negative.

So the bill passed. The title was agreed to.

H. B. No. 95, to authorize the creation of a separate school district in Porter township, Scioto county, Ohio, was read the third time.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 77, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Armstrong of Guernsey, Baker of Fairfield, Baker of Perry, Barrett, Bay, Beach, Beatty, Blake, Boyce, Brunner, Case, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Cole, Coler, Cooley, Conklin, Conkright, Duncan, Faxon, Gowey, Green, Grosvenor, Harrison, Haven, Heitmann, Herron, Hill, Hodge, Holloway, Holt, Howland, Huston, Johnson, Kemp, Lewis, Light, Loomis, Mack, Mann, Marx, Martin, McCloud, McKinley, McLain, Mesloh, Miller, Moorehead, Munson, Murlin, Myers of Ashland, Neff, Nelson, Newton, Oren, Pattison, Poe, Ray, Richards, Robb, Sater, Sheppard, Sherrick, Stone,

Thompson of Lucas, Thompson of Montgomery, Van Meter, Vincent, Walker, Watson, Weible, West, White and Williams—77.

So the bill passed. The title was agreed to.

Mr. Newton, on leave, presented six petitions of Chester Bedell and 300 other citizens of Mahoning county, asking for the removal of the county seat of Mahoning county from the village of Canfield to the city of Youngstown.

Which were referred to the committee on New Counties and County Affairs.

Mr. Haag offered for adoption the following resolution:

H. J. R. No. 22: WHEREAS, There is now owned by the State of Ohio over 600 copies of Swan and Sayler's Statutes, a much larger number than is needed by the State until a revision of the statutes will take place; and

WHEREAS, The State does not own a sufficient number of Swan and Critchfield's Statutes for the use of the Legislature and State departments; therefore

Resolved by the General Assembly of the State of Ohio, That the Secretary of State be and hereby is authorized to exchange a sufficient number of Swan and Sayler's Statutes for Swan and Critchfield's as in his opinion shall be necessary to supply the General Assembly and its committees.

On motion of Mr. Haag, said resolution was referred to the committee on the Judiciary.

Mr. Lewis submitted the following report:

The committee on Insane Asylums, to whom was referred H. R. No. 54, relative to the estimate of funds for the Northern Ohio Lunatic Asylum, having made a thorough examination of those portions of the Asylum not consumed by fire, find them in comparatively good condition, except that of ventilation, particularly that of the first and second wards; and your committee suggest that as the new structures are being built upon the same general plan, in regard to ventilation, that they be so changed in structure as to conform to the principles of ventilation employed in the new asylum at Athens.

In relation to the new structures, we respectfully submit the following:

The two rear wings already built will be finished by May 1st, 1874. The front wings will be ready for patients May 1st, 1875; and the administration building, in which is convalescent ward, will be ready for furniture in August or September, 1875. The foundation of this portion of the new structure is complete.

The architect does not think the front wings and administration building will be finished by January 1st, 1875.

The asylum, when completed, will accommodate five hundred patients.

The inmates we find at present in comparatively good health—males, one hundred and thirty; females, one hundred and twenty-eight; supposed daily average for 1874 and first quarter of 1875, three hundred and fifty (350).

We respectfully submit the following estimates, and think they are ample for the year 1874 and the first quarter of 1875:

Current expenses	$70,000
Deficit in current expenses of 1873	8,000
Ordinary repairs	5,000
Officers' salaries	3,108
Pictures for new wards	100
Library for new wards	100
Building bridge, in addition to $600 appropriated	400

Rebuilding asylum	$200,000
Heating apparatus	20,000
Covering steam pipes	1,500
Furnishing rear wings	8,000
Furnishing front wings	10,000
	$326,208

EDWARD C. LEWIS, R. G. RICHARDS,
JAMES A. NORTON, ROBERT BARNETT,
JACOB KEMP, SAMUEL HERRON.

On motion of Mr. Eshelman, said report was laid on the table and ordered to be printed.

Mr. Boyce moved that the House do now adjourn.

Which was disagreed to.

The following bills were introduced and read the first time:

H. B. No. 154—By Mr. Inman: To repeal the act entitled an act to confer additional power on the Board of Public Works to regulate and collect tolls on the Western Reserve and Maumee road, passed April 28, 1873.

H. B. No. 155—By Mr. Lewis: Relating to the management of benevolent, penal and reformatory institutions, and the building, alteration and repairs of State asylums and other State buildings.

On motion of Mr. Holloway, the House adjourned.

Attest: THOMAS COUGHLIN, *Clerk.*

WEDNESDAY, FEBRUARY 4, 1874—10 o'clock A.M.

The House met pursuant to adjournment.

Prayer by Rev. W. E. Moore.

The Journal was read and approved.

Mr. Vincent presented the petition of Andrew Brinker and 300 other citizens of Columbiana county, for the reduction of salaries of State, district and county officers.

Which was referred to the committee on Fees and Salaries.

Mr. Heitmann presented the petition of John G. Deshler and 112 other citizens of Franklin county, praying the Legislature to pass H. B. No. 37, to authorize the commissioners of Franklin county to levy a tax for the improvement of the grounds of the agricultural society of said county, and to pay debts due for lands purchased.

Which was read at the Clerk's desk, and laid on the table.

Mr. Sherrick presented the remonstrance of M. Wheeler and 182 other citizens of Stark county, against the passage of H. B. No. 35, to protect land-holders.

Which was referred to the committee on Agriculture.

Mr. Hatfield presented the petition of Cyrus Williams and 82 other citizens of Wood county, for a law to lay off and designate a new township in Wood county.

Which was referred to the committee on New Counties and County Affairs.

Mr. Sater presented the petition of Martin Bevis and 63 other citizens of Hamilton county, for a reduction of tolls on turnpikes to the former rates.

Which was referred to the committee on Turnpikes.

Mr. Chapman presented the remonstrance of Joseph Turney, George

Gibson and 37 other citizens of Cuyahoga county, remonstrating against the passage of H. B. No. 35, to protect land-holders

Which was referred to the committee on Agriculture.

Mr. Hardy presented the memorial of G. W. Remage and 19 other physicians of Paulding county, praying for protection against malicious prosecutions for alleged malpractice.

Which was referred to the committee on Medical Colleges and Societies.

Mr. Barrett presented the remonstrance of J. B. Allen and 246 other citizens of Greene county, against any change in the game laws.

Which was referred to the committee on Agriculture.

Mr. Baskin presented the petition of James Magnus and 38 other citizens of Coshocton county, for the repeal of certain laws.

Which was referred to the committee on Common Schools and School Lands.

Mr. Heitmann presented the remonstrance of E. B. Decker and 117 other citizens of Franklin county, remonstrating against the passage of H. B. No. 37, authorizing the commissioners of Franklin county to levy a tax.

Which was read at the Clerk's desk, and laid on the table.

Mr. Newton presented the petition of L. J. Jacobs and 200 other citizens of Mahoning county, asking for the removal of the county seat of Mahoning county from the village of Canfield to the city of Youngstown.

Which was referred to the committee on New Counties and County Affairs.

The following bills were read the second time:

H. B. No. 145: To regulate mines and mining.

Referred to the committee on Geology, Mines and Mining.

H. B. No. 146: Supplementary to an act entitled an act to provide for the creation and regulation of incorporated companies in the State of Ohio, passed May 1, 1852.

On motion of Mr. McKinley, said bill was indefinitely postponed.

H. B. No. 147: Amendatory of an act to protect sidewalks, passed April 3, 1867.

Referred to the committee on Roads and Highways.

H. B. No. 148: To create a joint sub-district for school purposes in the townships of Gratis and Lanier, Preble county, Ohio, and German and Jackson, Montgomery county.

Referred to the committee on Common Schools and School Lands.

H. B. No. 149: To repeal an act entitled an act to establish a superior court for the city of Cleveland, and to repeal an act therein named, passed May 5, 1873.

Referred to the committee on the Judiciary.

H. B. No. 150: Supplementary to an act entitled an act to provide for the creation and regulation of incorporated companies in the State of Ohio, passed May 1, 1852.

Mr. Haag moved that the bill be indefinitely postponed.

Which was agreed to.

H. B. No. 151: To amend an act entitled an act to provide for a uniform standard of weights and measures, passed April 11, 1861.

Referred to the committee on Manufactures and Commerce.

Mr. Blake submitted the following report:

The committee on Revision have examined, and found correctly engrossed, H. Bs. Nos. 32 and 59.

JONATHAN MORRIS, JOHNSON SHERRICK,
ORVIL BLAKE, GEO. W. BOYCE.
WM. M. MCKINLEY,

On motion of Mr. Baskin, the third reading of H. B. No. 66 was postponed until next Friday.

H. B. No. 5, to amend section 5 of an act entitled an act to provide for the punishment of crimes, passed March 7, 1835, was read the third time.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 88, nays 7, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Barrett, Baskin, Beach, Beatty, Bell, Blake, Boyce, Brunner, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Cole, Coler, Cooley, Conklin, Conkright, Duncan Eshelman, Faxon, Gowey, Green, Grosvenor, Haag, Hardy, Haven, Heitmann, Herron, Hill, Hoagland, Hodge, Holloway, Holt, Howland, Huston, Inman, Johnson, Kemp, Lewis, Light, Loomis, Mack, Mann, Marx, Martin, McCloud, McCoy, McLain, Mesloh, Miller, Moorehead, Morris, Myers of Ashland, Myers of Fayette, Neff, Nelson, Newell, Norton, Oren, Pattison, Poe, Ramsay, Ray, Richards, Richmond, Robb, Sater, Sheppard, Sherrick, Stone, Thompson of Lucas, Thompson of Montgomery, Tryon, Van Meter, Vincent, Walker, Watson, Weible, West, White, Williams and Speaker—88.

Those who voted in the negative were—

Messrs. Case, Ford, Harrison, Hatfield, Munson, Murlin and Scott—7.

So the bill passed.

Mr. Haag moved that the title of the bill be amended as follows: "An act to provide for the sufficiency of evidence in certain cases."

Which was agreed to.

The title, as amended, was then agreed to.

H. B. No. 37: To authorize the commissioners of Franklin county, Ohio, to levy a tax to pay for the improvement of the grounds of the agricultural society of said county, and its debts due for lands purchased, was read the third time.

Mr. McCoy moved to refer the bill to a select committee of one, with instructions to amend as follows:

In line four, section 1, strike out the words "and 1876," and insert the word "and" before the figures "1875."

Which was agreed to, and Mr. McCoy appointed as said committee, who, on leave, reported the bill back, amended as instructed.

Mr. Hatfield moved that the House take a recess.

Which was disagreed to.

The consideration of H. B. No. 37 was then resumed; pending which,

On motion of Mr. Poe, the House took a recess.

HALF-PAST TWO O'CLOCK, P.M.

Mr. Holloway, on leave, presented the remonstrance of Solomon Hartzel and 98 other citizens of Smith township, Mahoning county, against the passage of an act authorizing the removal of the seat of justice of Mahoning county from Canfield to Youngstown.

Which was referred to the committee on New Counties and County Affairs.

Mr. Holloway, on leave, presented the affidavit of Samuel Hughes and five other citizens of Berlin township, Mahoning county, relative to petition for removal of seat of justice of Mahoning county from Canfield to Youngstown.

Which was referred to the committee on New Counties and County Affairs.

When the House took a recess, it had under consideration H. B. No. 37.

Mr. Holloway moved to commit the bill to a select committee of one, with instructions to amend as follows:

"Provided, that nothing in this act shall be so construed as to authorize such levy until after it shall have been submitted to and received the approval of at least two thirds of the legal voters of Franklin county voting on the approval or disapproval of this act at an election for that purpose, at which election the question of tax, or no tax, as herein provided, shall be submitted, and of which at least ten days' notice shall be given in all the newspapers of said county; and provided, that no votes shall be counted at said election that do not have plainly printed thereon the words, 'Tax, yes,' or 'Tax, no.'"

Mr. Grosvenor moved to amend the instructions as follows: Strike out the words "two-thirds," and insert "majority."

On which motion the yeas and nays were demanded, ordered, and resulted—yeas 50, nays 43, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Armstrong of Guernsey, Baker of Coshocton, Baker of Perry, Barrett, Baskin, Beatty, Bell, Blake, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Cole, Coler, Cooley, Conklin, Conkright, Faxon, Ford, Grosvenor, Hill, Hodge, Holloway, Holt, Huston, Johnson, Kemp, Light, Loomis, Mack, Mann, Marx, Martin, McCloud, Myers of Ashland, Neff, Nelson, Newton, Ramsay, Richards, Sherrick, Stone, Thompson of Lucas, Tryon, Van Meter, Walker, Watson, White and Williams—50.

Those who voted in the negative were—

Messrs. Baker of Fairfield, Barnett, Beach, Boyce, Brunner, Case, Duncan, Eshelman, Green, Haag, Hardy, Harrison, Hatfield, Haven, Heitmann, Herron, Hoagland, Howland, Inman, Lewis, McCoy, McKinley, Mesloh, Miller, Moorehead, Morris, Munson, Murlin, Myers of Fayette, Newell, Norton, Oren, Pattison, Poe, Ray, Richmond, Robb, Sater, Scott, Sheppard, Thompson of Montgomery, Varley and West—43.

So the amendment was agreed to.

The question then recurring upon the motion of Mr. Holloway to commit, as amended by the House, the yeas and nays were demanded, ordered, and resulted—yeas 35, nays 59, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Barnett, Boyce, Carnahan, Coler, Cooley, Conklin, Conkright, Haven, Hoagland, Holloway, Holt, Howland, Light, Mack, Marx, McLain, Moorehead, Morris, Munson, Oren, Pattison, Poe, Ramsay, Ray, Richards, Sheppard, Sherrick, Stone, Van Meter, Varley, Vincent, Watson, Weible and White—35.

Those who voted in the negative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Baker of Coshocton, Baker of Fairfield, Barrett, Baskin, Bay, Beach, Beatty, Bell, Blake, Brunner, Case, Chapman of Meigs, Cole, Duncan, Eshelman, Faxon, Ford, Green, Grosvenor, Haag, Hardy, Harrison, Hatfield, Heitmann, Herron, Hodge, Huston, Inman, Johnson, Kemp, Lewis, Loomis, Martin, McCloud, McCoy, McKinley, Mesloh, Miller, Murlin, Myers of Ashland, Myers of Fayette, Neff, Nelson, Newell, Newton, Norton, Richmond, Robb, Sater, Scott, Thompson of Lucas, Thompson of Montgomery, Tryon, Walker, West and Williams—59.

So the motion was disagreed to.

Mr. Conklin moved to recommit the bill to a select committee of one, with instructions to amend as follows:

In line ten, section 1, after the word "society," insert the following: "Provided, that not more than one-half of said levy, and the transfer of funds authorized in section 3 of this act, is to be made if the State Fair is not located in the county of Franklin, State of Ohio, for the next five years."

Which motion was disagreed to.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 55, nays 41, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Baker of Fairfield, Barrett, Baskin, Bay, Beach, Beatty, Bell, Blake, Case, Chapman of Cuyahoga, Chapman of Meigs, Cole, Conklin, Duncan, Eshelman, Faxon, Ford, Green, Grosvenor, Haag, Hardy, Heitmann, Herron, Inman, Johnson, Kemp, Lewis, Loomis, Mack, Martin, McCloud, McCoy, Mckinley, Mesloh, Miller, Munson, Murlin, Myers of Ashland, Myers of Fayette, Neff, Nelson, Newton, Norton, Richmond, Robb, Sater, Scott, Thompson of Lucas, Walker, West, White, Williams and Speaker—55.

Those who voted in the negative were—

Messrs. Archer, Baker of Perry, Barnett, Boyce, Brunner, Carnahan, Coler, Cooley, Conkright, Gowey, Harrison, Haven, Hill, Hoagland, Hodge, Holloway, Holt, Howland, Huston, Light, Mann, Marx, McLain, Moorehead, Morris, Newell, Oren, Pattison, Ramsay, Ray, Richards, Sheppard, Sherrick, Stone, Thompson of Montgomery, Tryon, Van Meter, Varley, Vincent, Watson and Weible—41.

So the bill passed. The title was agreed to.

Mr. McCoy moved to reconsider the vote by which the bill was passed.

On which the yeas and nays were demanded, ordered, and resulted—yeas 27, nays 57, as follows:

Those who voted in the affirmative were—

Messrs. Boyce, Brunner, Coler, Cooley, Conkright, Gowey, Harrison, Haven, Hoagland, Holloway, Holt, Howland, Huston, Light, Marx, Moorehead, Newell, Oren, Pattison, Ramsay, Ray, Sherrick, Thompson of Montgomery, Van Meter, Varley, Weible and White.—27.

Those who voted in the negative were—

Messrs. Archer, Armstrong of Guernsey, Baker of Coshocton, Baker of Fairfield, Barrett, Baskin, Bay, Beach, Beatty, Bell, Blake, Case Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Cole, Duncan, Eshelman, Faxon, Ford, Green, Grosvenor, Haag, Hardy, Heitmann, Herron, Hill, Hodge, Inman, Johnson, Lewis, Loomis, Mack, Martin, McCloud, McCoy, McLain, Mesloh, Miller, Munson, Murlin, Myers of Ashland, Myers of Fayette, Neff, Nelson, Newton, Norton, Richmond, Sater, Scott, Stone, Thompson of Lucas, Vincent, Walker, Watson, West, Williams and Speaker—57.

So the motion to reconsider was disagreed to.

Mr. Newton, on leave, presented the petition of William L. Clark and 320 other citizens of Mahoning county, asking for the removal of the county seat of Mahoning county from the village of Canfield to the city of Youngstown.

Which was referred to the committee on New Counties and County Affairs.

On motion of Mr. Oren, the House adjourned.

Attest: THOMAS COUGHLIN, *Clerk.*

THURSDAY, FEBRUARY 5, 1874—10 o'clock A.M.

The House met pursuant to adjournment.

Prayer by the Rev. W. E. Moore.

Indefinite leave of absence was granted Messrs. Stone and Haag.

Mr. Hatfield, on leave, presented the petition of A. Roach and 194 other citizens of Wood county, for a law authorizing the removal of the seat of justice from Bowling Green to Perrysburg.

Which was referred to the committee on New Counties and County Affairs.

The Journal was read and approved.

Mr. Eshelman presented the letter of Dr. James D. Robison and the memorial of ten other physicians of Wayne county, praying for some measure of protection against unjust and malicious prosecutions for alleged malpractice.

Which was referred to the committee on Medical Colleges and Societies.

The Speaker presented a communication from Mr. King, President of the Constitutional Convention, in answer to H. R. No. 47.

Which was referred to the committee on Finance.

Mr. Cole presented the petition of H. L. Harrince and 205 other citizens of Ottawa county, praying for the passage of a law for encouraging and maintaining foot-walks along the public highways, and the cultivation of shade trees along the same.

Which was referred to the committee on Roads and Highways.

Mr. Green presented the petition of Wm. F. Bryan, of Shelby county, asking damages by reason of leakage on his lands from the Sidney feeder of the Miami Extension canal.

Which was referred to a select committee of three—Messrs. Green, Robb and Beatty.

Mr. Watson presented the petition of the trustees of Seneca township, and thirty other citizens of said township, in Monroe county, praying for the passage of an act to authorize the trustees of Seneca township, Monroe county, Ohio, to levy a tax to pay bounties to certain volunteers.

Which was laid on the table.

Mr. Haven presented the petition of the Cincinnati Chamber of Commerce, of Hamilton county, asking the Legislature to take the necessary action for the organization of a State board of commissioners of the national centennial exposition.

Which was referred to the committee on Manufactures and Commerce.

Mr. Eshelman, on leave, submitted the following report:

The committee on Finance, to whom was referred S. B. No. 14, having had the same under consideration, report it back, with the following amendments:

In line four of section 4 strike out the word "three," and insert the word "five."

In line eight, section 4, after the word "money," insert the words "belonging to the general revenue fund."

In line two of section 3, after the word "president," insert the word "secretary," and strike out of line four, section 3, the words "and shall appoint a secretary."

And recommend the passage of the bill.

E. B. ESHELMAN, W. P. HOWLAND,
GEO. W. BOYCE, J. SCOTT,
J. M. POE, GEO. H. FORD,
E. M. GREEN, T. E. DUNCAN,
R. HILL,

The amendments were agreed to, and the bill engrossed at the Clerk's desk and read the third time.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 49, nays 29, as follows:

Those who voted in the affirmative were—

Messrs Archer, Armstrong of Belmont, Armstrong of Guernsy, Baker of Perry, Beach, Beatty, Bell, Blake, Boyce, Case, Chapman of Cuyahoga, Chapman of Meigs, Coler Cooley, Duncan, Eshelman, Faxon, Ford, Green, Grosvenor, Harrison, Haven, Heitmann, Herron, Hodge, Holloway, Holt, Howland, Johnson, Kemp, Lewis, Loomis, Mack, Marx, Martin, McLain, Munson, Myers of Fayette, Neff, Nelson, Newton, Poe, Ray, Richards, Richmond, Scott, Tryon, West and Williams—49.

Those who voted in the negative were—

Messrs. Baker of Fairfield, Baskin, Brunner, Cole, Conklin, Conkright, Gordon, Hardy, Hatfield, Hoagland, Inman, Light, McCloud, McKinley, Mesloh, Moorhead, Myers of Ashland, Newell, Norton, Oren, Pattison, Robb, Sater, Sherrick, Thompson of Montgomery, Van Meter, Vincent, Walker, Weible and White—29.

So the bill, not having received a constitutional majority, was lost.

Mr. Richards presented the remonstrance of John H. Lindsay and 232 other citizens of Jefferson county, against the passage of H. B's Nos. 4 and 23.

Which was referred to the committee on Temperance.

Mr. Richards presented the remonstrance of Henry M. Priest and 61 other citizens of Jefferson county, against the passage of H. B's Nos. 4 and 23.

Which was referred to the committee on Temperance.

The following bill was read the second time:

H. B. No. 152: Making partial appropriations for the year 1874.

Referred to the committee on Finance.

Mr. Thompson moved that the vote by which S. B. No. 14 was lost be reconsidered.

On which motion the yeas and nays were demanded, ordered, and resulted—yeas 66, nays 23, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Armstrong of Guernsey, Barrett, Baskin, Beach, Beatty, Bell, Blake, Boyce, Case, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Coler, Cooley, Duncan, Eshelman, Faxon, Ford, Gowey, Green, Grosvenor, Harrison, Hatfield, Haven, Heitmann, Herron, Hill, Hodge, Holloway, Holt, Inman, Johnson, Kemp, Lewis, Loomis, Mack, Mann, Marx, McCoy, McKinley, Morris, Munson, Myers of Fayette, Neff, Newton, Norton, Poe, Ramsay, Ray, Richards, Richmond, Sater, Scott, Sherrick, Thompson of Lucas, Thompson of Montgomery, Tryon, Van Meter, Varley, Walker, Watson, West, Williams and Speaker—66.

Those who voted in the negative were—

Messrs. Baker of Fairfield, Baker of Perry, Barnett, Brunner, Cole, Conklin, Conkright, Gordon, Hardy, Hoagland, Howland, Light, Martin, McCloud, Mesloh, Moorehead, Murlin, Myers of Ashland, Oren, Pattison, Vincent, Weible and White—23.

So the motion to reconsider was agreed to.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 66, nays 26, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Armstrong of Guernsey, Baker of Coshocton, Barrett, Baskin, Beach, Beatty, Bell, Blake, Boyce, Case, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Coler, Cooley, Duncan, Eshelman, Faxon, Ford, Gowey, Green, Grosvenor, Harrison, Hatfield, Haven, Heitmann, Herron, Hill, Hodge, Holloway, Holt, Inman, Johnson, Kemp, Lewis, Loomis, Mack, Mann, Marx, Martin, McCoy, Morris, Munson, Myers of Fayette, Neff, Newell, Newton, Ramsay, Ray, Richards, Richmond, Scott, Sherrick, Stone, Thompson of Lucas, Thompson of Montgomery, Tryon, Van Meter, Varley, Walker, Watson, West, Williams and Speaker—66.

Those who voted in the negative were—

Messrs. Baker of Fairfield, Baker of Perry, Barnett, Brunner, Cole, Conklin, Conkright, Gordon, Hardy, Hoagland, Howland, Light, McCloud, McKinley, Mesloh, Moorehead, Murlin, Myers of Ashland, Norton, Oren, Pattison, Robb, Sater, Vincent, Weible and White—26.

So the bill passed. The title was agreed to.

Indefinite leave of absence was granted to Mr. Mann on account of sickness.

The following bills were then read the second time:

H. B. No. 153: To amend an act entitled an act to amend section 14 of an act entitled an act concerning the relation of guardian and ward, passed April 12, 1858, passed and took effect March 31, 1864.

Referred to the committee on the Judiciary.

H. B No. 154: To repeal a certain act therein named.

Referred to the committee on Public Works.

H. B. No. 39, to amend section 104 of an act entitled an act to establish a code of criminal procedure for the State of Ohio, passed May 6, 1869, as amended January 5, 1871, was read the third time.

Mr. Gowey moved to recommit said bill to a select committee of one, with instructions to amend as follows: Line 10, after the word "partners," insert "in the practice of law."

Which was agreed to.

Mr. Gowey was appointed said committee, who, on leave, reported the bill back amended as instructed.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 64, nays 5, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Armstrong of Guernsey, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Barrett, Baskin, Bay, Beach, Beatty, Blake, Case, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Cole, Coler, Cooley, Conkright, Faxon, Gowey, Gordon, Grosvenor, Hardy, Harrison, Heitmann, Herron, Hoagland, Holt, Johnson, Kemp, Loomis, Mack, Martin, McCloud, McCoy, McKinley, McLain, Mesloh, Moorehead, Munson, Murlin, Myers of Fayette, Newell, Newton, Oren, Pattison, Ramsay, Richards, Richmond, Robb, Sater, Scott, Sherrick, Tryon, Van Meter, Varley, Vincent, Walker, Watson, Weible, West and Williams—64.

Those who voted in the negative were—

Messrs. Bell, Brunner, Conklin, Morris and Nelson—5.

So the bill passed. The title was agreed to.

H. B. No. 59, to amend section 1 of an act entitled an act providing for inclosing railroads by fences and cattle-guards, as amended April 26, 1871, was read the third time.

Mr. McCoy moved to suspend the rule, and that the vote by which the bill was ordered to be engrossed be reconsidered.

Which was agreed to.

On motion of Mr. Thompson of Lucas, the bill was recommitted to a select committee of one—Mr. Howland.

H. B. No. 32, to authorize the trustees of Seneca township, Monroe county, Ohio, to levy a tax to pay bounties to certain volunteers, was read the third time.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 72, nays 9, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Armstrong of Guernsey, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Baskin, Beach, Beatty, Bell, Blake, Case, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Cole, Cooley, Conkright, Duncan, Faxon, Gowey, Gordon, Grosvenor, Hardy, Harrison, Hatfield, Heitmann, Hodge, Holloway, Holt, Howland, Inman, Johnson, Light, Loomis, Mack, Marx, Martin, McCloud, McCoy, McKinley, McLain, Mesloh, Miller, Moorehead, Morris, Munson, Murlin, Myers of Ashland, Myers of Fayette, Neff, Nelson, Newton, Oren, Ramsay, Ray, Richards, Richmond, Robb, Scott, Sherrick, Thompson of Lucas, Tryon, Van Meter, Varley, Walker, Watson, Weible, West, White, Williams and Speaker—72.

Those who voted in the negative were—

Messrs. Barnett, Barrett, Brunner, Coler, Conklin, Hoagland, Kemp, Pattison, and Thompson of Montgomery—9.

So the bill passed. The title was agreed to.

On motion of Mr. Morris, the House took a recess.

HALF-PAST TWO O'CLOCK P.M.

Mr. Scott moved that the House insist on its disagreement to Senate amendments to H. B. No. 72, and that another committee of conference be appointed.

Which was agreed to.

Messrs. Norton, Thompson of Lucas, and Van Meter were appointed said committee on the part of the House.

The following bills were introduced and read the first time:

H. B. No. 156—By Mr. Brunner: Prescribing the mode for the appropriation of property by corporations.

On motion of Mr. Brunner, the constitutional rule was dispensed with, and said bill was read the first time by its title.

H. B. No. 157—By Mr. Herron: To amend section 1 of an act entitled an act to restrain from running at large certain animals therein named, passed April 12, 1867.

H. B. No. 158—By Mr. Cole: To establish and protect foot and sidewalks and shade and ornamental trees along certain roads and highways.

H. B. No. 159—By Mr. Archer: To amend section 14 of an act amendatory of and supplementary to an act to provide for establishing an insurance department in the State of Ohio, passed April 26, 1873.

H. B. No. 160—By Mr. Nelson: To provide for judgments by default before justices of the peace and other officers.

H. B. No. 161—By Mr. Nelson: To amend section 640 of an act entitled an act to provide for the organization and government of municipal corporations, passed May 7, 1869, as amended April 18, 1870, as amended by

the act entitled an act limiting the rates of taxation in municipal corporations, passed May 2, 1871.

H. B. No. 162—By Mr. Hardy: To enable the common council of any city or incorporated village in this State having a population of 2,500 inhabitants or more, through which any of the canals of the State may run, or for the board of county commissioners of the county in which such city or incorporated village may be situate, to construct and maintain for public use a swing-bridge or self-closing bridge on any highway where the same crosses such canal within the territory of said city or incorporated village.

H. B. No. 163—By Mr. Thompson of Lucas: To amend an act entitled an act to amend an act entitled an act supplementary to the act entitled an act to provide for the creation and regulation of incorporated companies, passed May 1, 1852.

H. B. No. 164—By Mr. Gordon: To repeal an act passed April 18, 1873, entitled an act supplementary to the act relating to cities of the first class having a population exceeding one hundred and fifty thousand inhabitants, passed May 4, 1869.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has indefinitely postponed H. B. No. 42, for the relief of J. G. Brugger.

Attest: S. K. DONAVIN, *Clerk.*

MESSAGE FROM THE SENATE.

Mr. Speaker:

The following bills have been introduced in the Senate, and read the first time:

S. B. No. 49—By Mr. Lawrence: Supplementary to and explanatory of an act entitled an act for the reorganization and maintenance of common schools, passed May 1, 1873. (O. L., Vol. 70, pp 195–240.)

S. B. No. 50—By Mr. Thompson: To provide for the reclamation and sale of certain lands granted to the State of Ohio by the United States and by individuals for canal purposes, and for the survey and sale of the lands in said State which have been or may hereafter be granted to this State, in order to provide for the better support of the Ohio Agricultural and Mechanical College, and to repeal an act relative to said canal lands passed April 29, 1872.

S. B. No. 51—By Mr. Jones: Supplemental to the code of criminal procedure for the State of Ohio.

S. B. No. 52—By Mr. Jones: To amend section 464 of an act to establish a code of civil procedure, passed March 11, 1853. (S. & C., 1089.)

S. B. No. 53—By Mr. Burton: To amend section 394 of the municipal code, passed May 7, 1869.

Attest: S. K. DONAVIN, *Clerk.*

MESSAGE FROM THE SENATE.

Mr. Speaker:

The following bills have been introduced in the Senate, and read the first time:

S. B. No. 54—By Mr. Corwin: To amend sections 534 and 536 of an act to establish a code of civil procedure, passed March 11, 1853. (S. & C., pp. 1112–1115.)

S. B. No. 55—By Mr. Ferrall: An act to amend the 11th section of an act entitled an act regulating the mode of administering assignments in trust for the benefit of creditors, passed and took effect April 6, 1869. (S. & C., Vol. 1, p. 709; Vol. 56 O. L., p. 231.)

S. B. No. 56—By Mr. Seitz: Supplementary to an act entitled an act relating to ditches, passed April 12, 1871. (Vol. 68 O. L., p. 60.)

S. B. No. 57—By Mr. Butterworth: An act to amend section 1 of an act entitled an act to enable associations of persons for building hotels, and for other purposes, to become bodies corporate, passed April 5, 1866, as amended by an act passed April 25, 1868. (Vol. 65 O. L., p. 108; S. & S., p. 198.)

Attest: S. K. DONAVIN, *Clerk.*

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has indefinitely postponed H. B. No. 19, to amend sections 1 and 2 of an act entitled an act regulating the fees of witnesses in civil and criminal cases, passed March 16, 1852. (S. & C., Vol. 1, p. 630.)

Attest: S. K. DONAVIN, *Clerk.*

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has indefinitely postponed H. J. R. No. 4, relative to the enactment of only such laws as are imperatively demanded by the needs of the people, before the adoption or rejection of the new State Constitution.

Attest: S. K DONAVIN, *Clerk.*

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has passed the following bills, in which the concurrence of the House of Representatives is requested:

S. B. No. 30—By Mr. Butterworth: For the prosecution and punishment of certain offenses therein named.

S. B. No. 10—By Mr. Butterworth: To amend section 28 of the code of civil procedure, passed April 18, 1870. (O. L., Vol. 67, pp. 111 and 112.)

Attest: S. K. DONAVIN, *Clerk.*

Said bills were read the first time.

Mr. Hodge submitted the following report:

The committee on Municipal Corporations, to whom was referred H. B. No. 44, supplementary to an act passed April 29, 1873, entitled an act to create a board of fire commissioners in cities having a population exceeding ninety thousand inhabitants, having had the same under consideration, report it back, with the following amendments, and recommend its engrossment and passage:

Wherever "common council" appears in the bill, strike out "common," and insert "city." Section 1, line 5, insert after the word "mayor," "who shall be president of the board." Same section, line 14, strike out the word "eligible," and insert "appointed." Section 5, line 1, strike out "engineer," and insert "of fire department." Same section, line 4, strike out "for three years," and insert "during good behavior." Same section, line 13, strike out "number," and insert "members." Section 6, line 4, strike out "engineer," and insert "of fire department." Section 7, line 1, insert "s" at end of word "assistant," and strike out the word "engineers." Same section, in lines 3 and 4, strike out "or order it rebuilt or repaired." Same section, line 12, before the word "record," insert "book of;" and in

same section, line 13, insert after the word "unsafe" the words "from fire."

E. W. Miller, Hiram Murlin,
Milt. McCoy, O. J. Hodge.
Wm. Bell, Jr.

The amendments were agreed to, and the bill was ordered to be engrossed, and read the third time on Wednesday next.

Mr. Murlin submitted the following report:

The committee on New Counties and County Affairs, to whom was referred H. B. No. 138, to authorize the commissioners of Lake county to build a county infirmary and to issue bonds therefor, having had the same under consideration, report it back, with the following amendment, and recommend its engrossment and passage: Strike out of line 5, section 3, the words "or special election called for that purpose."

Hiram Murlin, James Watson,
S. A. West, R. Ramsay.
E. M. Walker,

The amendment was agreed to, and the bill ordered to be engrossed, and read the third time to-morrow.

Mr. Howland submitted the following report:

The committee on Judiciary, to whom was referred S. B. No. 11, to authorize the commissioners of Washington county to establish and construct a public road in Belpre township of said county, having had the same under consideration, report it back, with the following amendments, to wit: Strike out all of sections 1 and 2, after the enacting clause, and insert in lieu thereof the following:

"That the commissioners of the county of Washington be and they are hereby authorized to locate, establish and construct a county road in the vicinity of the one appropriated, and to supply the want created thereby as follows: But in obtaining the right of way, laying out and establishing a new road in lieu of the road appropriated as aforesaid, the commissioners of said county shall be governed in all respects as provided by law for opening and regulating roads and highways.

"Section 2. That after said road has been located and established, it shall be lawful for the commissioners of said county to enter into a contract for the opening and constructing of said new road; provided, that before entering into a contract they shall publish notice for three consecutive weeks in some newspaper of general circulation in said county of Washington, stating the time and place where they will enter into a contract as such commissioners with the lowest responsible bidder for said work, and the time allowed for completing said road; and the commissioners shall appear at the time and place designated in the notice for letting said contract, and enter into a contract with the lowest responsible bidder for the construction of said road, and its completion within the time designated in the notice, and all the costs of opening and constructing, locating and establishing said road shall be paid from the road appropriated."

And the committee recommend that the bill be amended as above, engrossed and passed.

W. P. Howland, J. M. Pattison,
J. Scott, C. C. Archer.
T. M. Robb,

The amendments were agreed to, and the bill ordered to be engrossed, and read the third time to-morrow.

Mr. McCoy submitted the following report:

The committee on Agriculture, to whom was referred House Bills Nos. 57, 96 and 108, having had the same under consideration, report them back, with the recommendation that they be passed as amended.

The following are the amendments to H. B. No. 57:

Section 1, line six, strike out "king bird," and insert "turtle dove;" line nine strike out "first," and insert "fifteenth;" line ten, after the word "grouse," insert the word "lark;" line fourteen strike out the word "dove."

The following are the amendments to H. B. No. 108:

Section 1, line four, after the word "places," add the following words: "other than his own." Section 2, line three, strike out the word "ten," and insert the word "five," and at the end of line five the following words: "at the discretion of the court."

MILT. MCCOY, H. H. MACK,
J. F. THOMPSON, THOS. H. BASKIN,
T. E. SATER, ROBERT BARNETT.
H. M. CHAPMAN,

Mr. Scott submitted the following report:

The committee on Judiciary, to whom was referred H. B. No. 46, to amend section 1 of an act entitled an act to provide for the uniform government and better regulation of the lunatic asylums of the State, and the care of idiots and the insane, passed April 7, 1856, having had the same under consideration, report it back, with the recommendation that it be indefinitely postponed.

WM. W. BEATTY, J. M. PATTISON,
C. H. GROSVENOR, J. SCOTT,
W. P. HOWLAND, C. C. ARCHER.
THOMAS M. ROBB,

The report was agreed to, and the bill indefinitely postponed.

Mr. Scott submitted the following report:

The committee on Finance, to whom was referred H. B. No. 112, to appropriate five hundred dollars for the benefit of the blind, to purchase books, etc., having had the same under consideration, report it back without recommendation.

E. B. ESHELMAN, GEO. W. BOYCE,
J. SCOTT, GEO. H. FORD.
E. M. GREEN,

On motion of Mr. Scott, said bill was referred to a select committee of one, with instructions to amend as follows:

Strike out all after the enacting clause and insert the following: "That the trustees of the Ohio Blind Asylum be and they are hereby authorized to expend any amount not exceeding six hundred dollars annually for the purchase of books, maps and other educational appliances from the 'American Printing House for the Blind,' out of the appropriations for current expenses, for the use of the institution and gratuitous distribution among the indigent blind of the State; provided the purchase can be made from said printing house at a price not exceeding the exact cost of their production.

"Section 2. This act shall take effect on its passage."

Mr. Scott was appointed said committee, who, on leave, reported the bill back, amended as instructed.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 59, nays 9, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Baker of Coshocton, Baker of Fairfield, Bell, Blake, Case, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Cole, Coler, Cooley, Conklin, Duncan, Faxon, Gowey, Gordon, Harrison, Hatfield, Heitmann, Herron, Hodge, Holloway, Holt, Howland, Johnson, Lewis, Light, Mack, Martin, McCoy, McKinley, McLain, Mesloh, Miller, Munson, Murlin, Myers of Ashland, Myers of Fayette, Neff, Newton, Norton, Oren, Ramsay, Ray, Richards, Richmond, Robb, Scott, Sherrick, Thompson of Lucas, Van Meter, Varley, Vincent, Walker, Weible, West and Williams—59.

Those who voted in the negative were—

Messrs. Archer, Beach, Brunner, Conkright, Hoagland, Kemp, Moorehead, Pattison, and Thompson of Montgomery—9.

So the bill passed.

Mr. Scott moved to amend the title as follows:

"An act relating to the purchase of books, maps and other educational appliances for the blind."

Which was agreed to.

The title, as amended, was agreed to.

Mr. Grosvenor submitted the following report:

The committee on Judiciary, to whom was referred H. B. No. 124, to amend an act entitled an act to establish a code of criminal procedure for the State of Ohio, passed May 6, 1869, passed January 29, 1873, having had the same under consideration, report it back, and recommend that it be engrossed and passed.

C. C. Archer, J. M. Pattison,
C. H. Grosvenor, W. P. Howland,
Wm. W. Beatty, T. M. Robb.
J. H. Heitmann,

Said bill was ordered to be engrossed, and read the third time to-morrow.

Mr. Sherrick submitted the following report:

The committee on Common Schools and School Lands, to whom was referred H. B. No. 120, amendatory of an act entitled an act for the reorganization and maintenance of common schools, passed May 1, 1873, having had the same under consideration, report it back, and recommend its indefinite postponement.

Johnson Sherrick, A. W. Munson,
G. W. Light, H. G. Tryon,
J. A. Moorehead, E. Martin.
O. Case,

The report was agreed to, and said bill indefinitely postponed.

Mr. Case submitted the following report:

The committee on Public Works, to whom was referred H. B. No. 16, to authorize the commissioners of the several counties in this State through which the National or Western Reserve and Maumee roads pass to take under their care and control so much of said roads as lies within the limits of such counties respectively, having had the same under consideration, report it back, and recommend that it be indefinitely postponed.

O. Case, Jas. L. Haven,
Wm. Bell, Jr., Geo. Johnson,
C. A. Coler, J. H. Heitmann.

On motion of Mr. Scott, said bill was laid on the table.

Mr. Archer submitted the following report:

The committee on Judiciary, to whom was referred S. B. No. 24, for the relief of medical colleges, having had the same under consideration, report it back, with the following amendments, and recommend that after being so amended it be passed:

In section 1, line 2, after the word "State," insert "after accepting the provisions of this act, and entering such acceptance upon the journal of such college."

In the same section, in line 3, strike out the word "education," and insert the word "graduation."

W. P. HOWLAND, J. M. PATTISON,
J. M. HAGG, J. SCOTT.
T. M. ROBB,

The amendments were agreed to, and said bill ordered to be engrossed, and read the third time on Wednesday next.

Mr. Conklin submitted the following report:

The committee on Claims, to whom was referred the petition of William Burdell and R. Shields, having had the same under consideration, report it back, and ask to be discharged from the further consideration of the same.

WM. T. CONKLIN, B. NEFF,
GEO. S. BAKER, O. B. CHAPMAN,
J. W. NELSON, O. CASE.
F. R. LOOMIS,

The report was agreed to, and the committee discharged.

Mr. Grosvenor submitted the following report:

The committee on Judiciary, to whom was referred H. B. No. 123, to amend section 10 of an act entitled an act relating to juries, passed and took effect April 26, 1873, having had the same under consideration, report it back, and recommend that it be indefinitely postponed.

C. H. GROSVENOR, W. P. HOWLAND,
C. C. ARCHER, J. M. PATTISON,
WM. W. BEATTY, T. M. ROBB,
J. H. HEITMANN,

The report was agreed to, and the bill indefinitely postponed.

Mr. Robb submitted the following report:

The committee on Judiciary, to whom was referred H. B. No. 81, to repeal section 4 of an act entitled an act supplementary to an act entitled an act to provide for the settlement of the estates of deceased persons, having had the same under consideration, report it back, with the recommendation that it be indefinitely postponed.

J. M. HAAG, W. P. HOWLAND,
T. M. ROBB, J. M. PATTISON.
C. C. ARCHER,

The report was agreed to, and the bill indefinitely postponed.

Mr. Case submitted the following report:

The committee on Claims, to whom was referred the petition of George C. Wilson, having had the same under consideration, report it back, and ask to be discharged from its further consideration.

O. CASE, F. R. LOOMIS,
GEO. S. BAKER, B. NEFF,
J. W. NELSON, WM. T. CONKLIN.
O. B. CHAPMAN,

On motion of Mr. Thompson of Lucas, said claim was recommitted to the committee on Claims.

Mr. Scott submitted the following report:

The committee on Judiciary, to whom was referred H. B. No. 14, to amend section 10 of an act supplementary to an act to provide for the organization and government of municipal corporations, passed February 10, 1870, having had the same under consideration, report it back without recommendation.

J. Scott, W. P. Howland,
Wm. W. Beatty, J. M. Pattison,
J. M. Haag, C. C. Archer.

Mr. Scott moved to recommit the bill to a select committee of one, with instructions to amend as follows:

Strike out all after the enacting clause, and insert the following:

"That section 10 of an act supplementary to an act to provide for the organization and government of municipal corporations, passed February 10, 1870, be amended so as to read as follows:

"'Section 10. That where the voters of any ward of a city of the first class exceed eight hundred, the common council shall divide said ward or wards into two voting districts on or before the first day of March, A.D. 1874; and upon the failure or neglect of said council to so divide said wards into voting districts within the time herein prescribed, the mayor of any such city shall perform the duties herein imposed upon the common council: Provided, however, that nothing herein contained shall prevent the common council of any such city, and it is hereby expressly empowered to divide any ward into as many voting districts as it may deem proper; and the vote of said districts shall be returned as the vote of the ward.

"Sec. 2. Original section 10 of the act above referred to is hereby repealed.

"Sec. 3. This act shall take effect and be in force from and after its passage."

Mr. Marx moved to amend the instructions so as to include all cities of the first class, and apply to election precincts of eight hundred voters and over.

Which was agreed to.

Mr. Scott's motion to recommit said bill with instructions to amend was then agreed to.

Mr. Scott was appointed the committee.

Mr. Robb submitted the following report:

The committee on Judiciary, to whom was referred H. B. No. 91, to abolish the death penalty, and to amend the first section of an act entitled an act providing for the punishment of crimes, passed March 7, 1835, having had the same under consideration, report it back, with the recommendation that it be indefinitely postponed.

T. M. Robb, Wm. W. Beatty,
C. C. Archer, C. H. Grosvenor,
W. P. Howland, J. M. Pattison.

On motion of Mr. Oren, the bill was laid on the table.

Mr. Brunner submitted the following report:

The committee on Public Printing, to whom was referred H. B. No 114, providing for printing and distributing the Journals of the General Assembly and the Laws and Public Documents, and to repeal certain acts

therein named, having had the same under consideration, report it back, with the following amendments, and recommend its engrossment and passage:

In section 1, line 5, strike out the words "procure, printed in book form," and insert in lieu thereof the words "cause the same to be printed on a proof-slip, the lines to be the width of the printed Journals."

In line 15 of the same section, after the word "cause," insert the following words: "the corrected matter to be made into book form, and."

L. A. BRUNNER, J. B. RAY,
J. W. NELSON, E. S. HOLLOWAY,
J. S. GORDON, I. M. BARRETT.

The amendments were agreed to, and the bill was ordered to be engrossed, and read the third time to-morrow.

Mr. Neff submitted the following report:

The committee on Roads and Highway, to whom was referred H. B. No. 80, to amend section 27 of an act relating to roads and highways, as amended by the act passed January 6, 1873, having had the same under consideration, report it back, and recommend its passage.

B. NEFF, W. H. CONKRIGHT.
ROBERT BARNETT, LEBBEUS COLE.
J. A. MOOREHEAD,

Said bill was ordered to be engrossed, and read the third time on Monday next.

Mr. Eshelman submitted the following report:

The committee on Finance, to whom was referred H. B No. 115, having had the same under consideration, report it back, with the following amendments:

Strike out of line 7 of section 1 "ten per cent.," and insert "eight per cent., payable semi-annually."

Add to the end of section 1 the words "said bonds shall not be sold for less than par."

And recommend the passage of the bill.

E. B. ESHELMAN, W. P. HOWLAND,
GEO. W. BOYCE, J. SCOTT,
J. M. POE, GEO. H. FORD,
E. M. GREEN, T. E. DUNCAN.
R. HILL,

The amemendments were agreed to, and the bill was ordered to be engrossed, and read the third time on Wenesday next.

Mr. Beatty submitted the following report:

The committee on Judiciary, to whom was referred H. B. No. 85, to amend section 6 of an act entitled an act to amend section 1 of an act passed May 16, 1868, entitled an act to amend original sections 6 and 7 of the act entitled an act relating to the organization of courts of justice, and their powers and duties, passed February 19, 1852, having had the same under consideration, report it back, with the following amendment, and recommend its engrossment and passage: In line 15, immediately after the word "cases," add the following words: "pending on reservation or."

J. H. HEITMANN, J. SCOTT,
THOMAS M. ROBB, C. C. ARCHER,
J. M. HAAG, C. H. GROSVENOR.

The amendment was agreed to, and the bill was ordered to be engrossed, and read the third time on Thursday next.

Mr. Beatty submitted the following report:

The committee on Judiciary, to whom was referred H. B. No. 106, supplementary to an act entitled an act to exempt specific articles of personal property from execution, passed April 16, 1873, having had the same under consideration, report it back, and recommend its indfinite postponement.

J. H. Heitmann, C. C. Archer,
W. P. Howland, C. H. Grosvenor.
T. M. Robb,

The question being on the indefinite postponement of said bill, the yeas and nays were demanded, ordered, and resulted—yeas 47, nays 37, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Baker of Fairfield, Baker of Perry, Barnett, Baskin, Beach, Beatty, Bell, Boyce, Case, Carnahan, Cole, Cooley, Conklin, Conkright, Duncan, Eshelman, Gowey, Grosvenor, Hardy, Heitmann, Hoagland, Holloway, Howland, Huston, Inman, Johnson, Kemp, Lewis, Light, Mack, McCoy, Mesloh, Miller, Morris, Munson, Nelson, Newell, Poe, Ray, Richards, Robb, Sater, Thompson of Montgomery, Watson and Weible—47.

Those who voted in the negative were—

Messrs. Armstrong of Guernsey, Baker of Coshocton, Blake, Chapman of Cuyahoga, Chapman of Meigs, Faxon, Gordon, Harrison, Hatfield, Haven, Herron, Hodge, Holt, Marx, Martin, McLain, Moorehead, Myers of Ashland, Myers of Fayette, Neff, Newton, Norton, Oren, Pattison, Ramsay, Richmond, Scott, Sherrick, Thompson of Lucas, Tryon, Van Meter, Varley, Vincent, West, White and Williams—37.

So the report was agreed to, and the bill indefinitely postponed.

Mr. Case submitted the following report:

The committee on Common Schools and School Lands, to whom was referred H. B. No. 105, to repeal an act entitled an act for the encouragement of the Coshocton union school, passed March 19, 1851, having had the same under consideration, report it back, and recommend its passage.

O. Case, J. A. Moorehead,
G. W. Light, E. Martin,
Johnson Sherrick, H. G. Tryon.

Said bill was ordered to be engrossed, and read the third time on Wednesday next.

Mr. Miller submitted the following report:

The committee on Municipal Corporations, to whom was referred H. B. No. 7, having had the same under consideration, report it back, with the following amendments, and recommend its passage as amended:

Strike out all after the enacting clause, and insert as follows:

"That in all cities of the first class having a population exceeding 150,000 inhabitants at the last Federal census there shall be constituted a board of construction of five members, to be elected by the qualified electors of such city at the annual municipal election. The members of said board shall hold their office for five years, except that at the first election held under this act they shall be elected together, and at a specified time after such election the mayor and the presidents of the two boards of council shall, upon notice to the said members, proceed, in

the office of the mayor, to draw the names of the members from a hat or box, the member whose name shall first be drawn to hold for five years; the next drawn, to hold for four years; the next, for three years; the next, for two years; and the last, for one year, and until their successors are elected and qualified. All vacancies occurring in the board shall be filled by the common council until the next ensuing municipal election, when the qualified electors of the city shall elect a member for the unexpired term. The members of the board shall be residents of the city, and freeholders within the corporation, and give bond in the penal sum of $15,000, with three sureties each, to the satisfaction of the common council, for the faithful performance of their official duties. They shall give their entire time and attention to the duties of their office. They shall each receive a salary at the rate of $3,000 per annum while holding office, and may be removed from office by the mayor, with the consent of council, for incompetency, inefficiency, neglect of duty, or unfaithfulness of trust."

Amend section 2, line 4, by striking out "2," and inserting "3."

Amend section 4, line 3, by adding the words "with the consent of council."

Amend section 5 by adding to the section: The board shall also, in conjunction with the trustees of the water-works, have charge of the streets for the laying and extension of water-pipes, as the same may be deemed necessary by the council; and no water pipes shall be laid or extended by the city without the consent of five members of the two boards, given by registered vote in joint session of the said boards."

Amend section 6, line 5, by striking out "$1,000," and inserting "$500."

Amend section 9, line 2, by striking out "$1,000," and inserting "$500."

Amend section 14, line 5, by inserting after the word "repealed" the words "so far as they apply to cities of the first class having a population of 150,000 inhabitants." In same section, line 6, strike out "May," and insert "March."

E. W. Miller, Wm. Bell, Jr.,
Milt. McCoy, O. J. Hodge,
Hiram Murlin, Guido Marx.

On motion of Mr. Pattison, said bill was laid on the table, and ordered to be printed as amended.

Mr. Hoagland submitted the following report:

The committee on Fees and Salaries, to whom was referred H. B. No. 6, limiting the compensation of certain officers therein named, having had the same under consideration, report it back, with the following amendments, and recommend its passage:

In section 5, line 7, strike out the word "three," and insert "four;" also, in section 5, line 9, strike out the word "three," and insert "four;" also, in section 5, line 10, strike out the words "two thousand," and insert "twenty-five hundred;" also, in section 18, line 4, strike out "second Tuesday of October, 1873," and insert the words "passage of this act;" also strike out all after line 11, in section 18.

M. A. Hoagland, Wm. W. Beatty,
J. C. Vincent, Lebbeus Cole,
Geo. S Baker, Geo. Johnson.
Wm. T. Conklin,

On motion of Mr. Chapman of Cuyahoga, said bill was referred to the committee on Judiciary.

Mr. Scott, as a select committee of one, to whom was referred H. B. No. 14, on leave, reported the bill back, amended as instructed.

On motion of Mr. Scott, the further consideration of said bill was postponed until Tuesday next.

Mr. Baskin moved that the House do now adjourn.

Which was disagreed to.

Mr. Howland submitted the following report:

The select committee of one to whom was referred H. B. No. 59, as amended by the committee on Railroads and Telegraphs, having had the same under consideration, reports the same back, and recommends that it be amended as follows, engrossed and passed:

In line seven, section 1, after the word "stock," insert the words "along the whole line, except as hereinafter provided;" in same line and section, after the word "railroad," insert "within six months after the passage of this act, along the line of the lands of the railroads in operation at the date of the passage of this act which then have not been fenced as required by this act;" and in line nine, same section, strike out the words "on said road;" in line ten, same section, after the word "freight," insert "on all railroads that have not commenced running regular trains at the date of the passage of this act;" in line twenty-nine, same section, insert after the word "street" the words "road, lane or highway;" in line seventy-one, after the word "where," strike out the word "and;" strike out all after the word "thereof," in line ninety-eight, section 1, to the word "provided," in line one hundred and two; in line one hundred and three, after the word "fences," insert "or private crossings;" strike out all after the word "consideration," in line one hundred and five, to the end of the section, and insert:

"And estimated as a part of the consideration to be paid for the right of way, so far as the fence or right to a private crossing were settled or paid for; provided further, that any owner of lands abutting on the line of the lands of any railroad company, who has or may become legally bound in any manner to build or repair the fence or fences dividing his lands from the lands of the company, and who has neglected or refused, or shall neglect or refuse, to build or repair said fence or fences within the time in which he is or shall be bound to build or repair the same, then it shall be lawful for said company to build or repair said fence or fences, and present an itemized account of the cost of labor and materials expended in constructing or repairing said fence to the person bound to build or repair the same for payment, and if the same is not settled or paid within thirty days thereafter, then the company may recover from said person the reasonable cost of constructing or furnishing material for said fence before any court having jurisdiction thereof."

W. P. Howland.

The report was laid on the table, and ordered to be printed.

Mr. Watson submitted the following report:

The committee on New Counties and County Affairs, to whom was referred H. B. No. 121, to authorize the treasurer of Knox county to pay, upon the order of the commissioners, cetain funds derived from the stockholders of the Lake Erie Railroad company, having had the same under consideration, report it back, and recommend its engrossment and passage.

James Watson, Hiram Murlin,
S. A. West, J. B. Ray,
R. Ramsay, Shelden Newton,
E. M. Walker,

Said bill was ordered to be engrossed, and read the third time on Tuesday next.

Mr. Johnson moved that when the House adjourn to-morrow it be until Tuesday next, at half-past two o'clock P.M.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 43, nays 44, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Belmont, Baker of Coshocton, Blake, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Cooley, Conkright, Duncan, Faxon, Gordon, Grosvenor, Harrison, Haven, Herron, Hodge, Holloway, Holt, Howland, Inman, Johnson, Loomis, Mack, Marx, Martin, McLain, Myers of Ashland, Myers of Fayette, Nelson, Newton, Oren, Ramsay, Ray, Richards, Scott, Thompson of Lucas, Tryon, Van Meter, Varley, Weible, West and White—43.

Those who voted in the negative were—

Messrs. Archer, Armstrong of Guernsey, Baker of Fairfield, Baker of Perry, Barnett, Baskin, Beach, Bell, Boyce, Brunner, Case, Cole, Coler, Conklin, Eshelman, Gowey, Green, Hardy, Hatfield, Heitmann, Hill, Hoagland, Kemp, Lewis, Light, McCloud, McCoy, McKinley, Mesloh, Miller, Moorehead, Neff, Newell, Norton, Pattison, Poe, Robb, Sater, Sherrick, Thompson of Montgomery, Vincent, Watson and Speaker—44.

So the motion was disagreed to.

Mr. Miller, on leave, presented the protest of H. C. Whitman, Chas. Fox and 500 other citizens of Hamilton county, against the passage of House Bills Nos. 35 and 45.

Which was referred to the committee on Agriculture.

On leave, Mr. Gordon offered the following joint resolution:

H. J. R. No. 23, relative to purchasing three thousand copies of Okey & Miller's Revised Statutes of Ohio, at three dollars and fifty cents a volume.

Resolved by the General Assembly of the State of Ohio, That the Secretary of State is hereby authorized and directed to purchase of S. A. Miller, for the use of the State, three thousand copies of Okey & Miller's Revised Statutes, now in the course of preparation, at three dollars and fifty cents a volume; provided, each copy shall consist of three volumes, and contain all the statutes of this State in force at the close of the adjourned session of the sixty-first General Assembly, with a copious index and full notes of reference to repealed statutes and the decisions of the Supreme Court of Ohio relating to the subject matter of the statutes. Each volume to be printed in good style, on good paper, and bound in good law leather, and lettered upon the side with the words: "The property of the State of Ohio." And provided further, that a copy of each volume shall be first submitted to the Attorney-General for examination, and he shall give a certificate that the same has been prepared, printed and bound as above provided.

Resolved further, That the Secretary of State shall preserve said statutes, subject to distribution according to law, and as may be hereafter directed.

Said resolution was referred to the committee on Judiciary.

Mr. Lewis, on leave, offered the following resolution, which was adopted:

H. R. No. 62: *Resolved*, That the Trustees of the Northern Lunatic Asylum be and they are hereby directed to report to this House what will be the cost of changing the system of ventilation in that institution, so as to have a lower and upper ventilation in the ventilating flues in the same ward.

On motion of Mr. Bell, the House adjourned.

Attest: THOMAS COUGHLIN, *Clerk*.

FRIDAY, FEBRUARY 6, 1874—10 o'clock A.M.

The House met pursuant to adjournment.

Prayer by the Rev. W. E. Moore.

Leaves of absence were asked and obtained as follows: For Mr. Van Meter for an indefinite time; and for Mr. Holloway until Tuesday next.

Leave was asked and obtained for the committee on New Counties and County Affairs to sit during the session of the House to day.

Mr. Neff moved to reconsider the vote by which the House on yesterday refused to adjourn from to-day until Tuesday next.

Mr. McCoy moved that the motion to reconsider be laid on the table.

On which the yeas and nays were demanded, ordered, and resulted—yeas 37, nays 47, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Baker of Fairfield, Baker of Perry, Barnett, Baskin, Beach, Bell, Brunner, Case, Conklin, Eshelman, Green, Hardy, Heitmann, Hill, Hoagland, Huston, Kemp, Lewis, Light, McCloud, McCoy, Mesloh, Moorehead, Murlin, Newell, Parker, Poe, Robb, Sater, Sheppard, Sherrick, Thompson of Montgomery, Vincent, Walker and Watson—37.

Those who voted in the negative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Baker of Coshocton, Barrett, Beatty, Blake, Boyce, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Cole, Cooley, Conkright, Duncan, Faxon, Ford, Gordon, Grosvenor, Harrison, Hatfield, Haven, Herron, Hodge, Holloway, Holt, Inman, Johnson, Loomis, Marx, Martin, Morris, Munson, Myers of Ashland, Myers of Fayette, Neff, Oren, Pattison, Ramsay, Ray, Richards, Richmond, Scott, Thompson of Lucas, Tryon, Varley, Weible, White and Williams—47.

So the motion was disagreed to.

Mr. McCoy moved that the further consideration of the question be postponed until this afternoon at 2½ o'clock.

On which yeas and nays were ordered, taken, and resulted—yeas 39, nays 46, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Baker of Fairfield, Baker of Perry, Barnett, Baskin, Beach, Bell, Brunner, Case, Cole, Conklin, Eshelman, Green, Hardy, Hatfield, Heitmann, Hill, Hoagland, Huston, Kemp, Lewis, Light, McCoy, Mesloh, Moorehead, Murlin, Newell, Parker, Pattison, Poe, Robb, Sater, Sheppard, Sherrick, Thompson of Montgomery, Walker, Watson and White—39.

Those who voted in the negative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Barrett, Beatty, Blake, Boyce, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Coler, Cooley, Conkright, Duncan, Faxon, Ford, Gowey, Gordon, Grosvenor, Harrison, Haven, Herron, Hodge, Holloway, Holt, Inman, Johnson, Loomis, Mack, Marx, McCloud, Morris, Munson, Myers of Ashland, Myers of Fayette, Neff, Oren, Ramsay, Ray, Richards, Richmond, Scott, Thompson of Lucas, Tryon, Van Meter, Varley and Weible—46.

So the motion was disagreed to.

Mr. Brunner demanded a call of the House. Eighty-seven members answered to their names.

The absentees were—

Messrs. Bay, Coler, Geghan, Haag, Harrison, Hatfield, Howland, Mack,

Mann, McKinley, McLain, Miller, Nelson, Newton, Norton, Pearson, Sater, Stone and West—19.

The Sergeant-at-Arms was dispatched for absentees.

Mr. Marx moved that all further proceedings under the call be dispensed with.

On which the yeas and nays were ordered, taken and resulted—yeas 46, nays 41, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Barrett, Blake, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Cooley, Conkright, Duncan, Faxon, Ford, Gowey, Gordon, Grosvenor, Harrison, Hatfield, Haven, Herron, Hill, Hodge, Holloway, Holt, Inman, Johnson, Loomis, Marx, Martin, Morris, Munson, Myers of Fayette, Neff, Oren, Ramsay, Ray, Richards, Richmond, Scott, Thompson of Lucas, Tryon, Varley, Vincent, Weible and Williams—46.

Those who voted in the negative were—

Messrs. Archer, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Baskin, Beach, Bell, Boyce, Brunner, Case, Cole, Conklin, Eidson, Eshelman, Green, Hardy, Heitmann, Hoagland, Huston, Kemp, Lewis, Light, McCloud, McCoy, Mesloh, Moorehead, Murlin, Myers of Ashland, Newell, Parker, Pattison, Poe, Robb, Sater, Sheppard, Sherrick, Thompson of Montgomery, Walker and White—41.

So the motion was agreed to.

Mr. Marx moved that the House do now adjourn until next Tuesday, at 2½ o'clock P.M.

Mr. Eshelman moved to amend said motion as follows:

"And the Speaker is hereby directed, in drawing certificates on the Auditor of State for the per diem of members, to deduct the days embraced in the adjournment."

Mr. McCoy moved that the amendment be laid on the table.

On which the yeas and nays were demanded, taken, and resulted—yeas 22, nays 60, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Guernsey, Baker of Coshocton, Beatty, Boyce, Cole, Conkright, Faxon, Gordon, Hardy, Hatfield, Haven, Holt, Huston, McCloud, McCoy, Mesloh, Newell, Pattison, Ramsay, Ray, Sherrick, Thompson of Lucas, and White—22.

Those who voted in the negative were—

Messrs. Archer, Armstrong of Belmont, Baker of Fairfield, Baker of Perry, Barnett, Barrett, Baskin, Beach, Bell, Blake, Brunner, Case, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Cooley, Conklin, Duncan, Eidson, Eshelman, Ford, Gowey, Green, Grosvenor, Harrison, Heitmann, Herron, Hill, Hoagland, Hodge, Johnson, Kemp, Lewis, Light, Loomis, Marx, Martin, Moorehead, Morris, Munson, Murlin, Myers of Ashland, Neff, Oren, Poe, Richards, Richmond, Robb, Sater, Scott, Sheppard, Thompson of Montgomery, Tryon, Varley, Vincent, Walker, Weible and Williams—60.

So the motion was lost.

Mr. Scott moved that the motion to amend be amended as follows: Insert after the word "members" the words "and officers."

Which was agreed to.

Mr. Scott demanded the previous question, which was duly seconded.

Mr. Brunner demanded a call of the House. Seventy-seven members answered to their names.

The Sergeant at-Arms was dispatched for absentees.

Mr. Hodge moved that all further proceedings under the call be dis pensed with.

On which the yeas and nays were ordered, and resulted—yeas 38, nays 37, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Armstrong of Guernsey, Barrett, Beatty, Blake, Carnahan, Chapman of Meigs, Coler, Conkright, Duncan, Faxon, Ford, Gowey, Gordon, Grosvenor, Harrison, Hatfield, Haven, Herron, Hodge, Holt, Johnson, Loomis, Marx, Martin, Munson, Myers of Fayette, Neff, Oren, Pattison, Ramsay, Ray, Richards, Scott, Tryon, Van Meter and Varley—38.

Those who voted in the negative were—

Messrs. Baker of Fairfield, Baker of Perry, Barnett, Baskin, Beach, Bell, Brunner, Case, Chapman of Cuyahoga, Cole, Conklin, Eidson, Eshelman, Green, Hardy, Heitmann, Hill, Hoagland, Huston, Kemp, Lewis, Light, McCloud, McCoy, Mesloh, Moorehead, Murlin, Newell, Parker, Poe, Robb, Sheppard, Sherrick, Thompson of Montgomery, Walker, Weible and White—37.

So the motion was disagreed to.

Mr. Loomis moved that the House do now adjourn.

On which the yeas and nays were ordered, and resulted—yeas 3, nays 68, as follows:

Messrs. Ford, Loomis and White voted in the affirmative.

Those who voted in the negative were—

Messrs. Archer, Armstrong of Belmont, Armstrong of Guernsey, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Barrett, Baskin, Beach, Beatty, Bell, Blake, Boyce, Case, Chapman of Cuyahoga, Chapman of Meigs, Cole, Cooley, Conklin, Conkright, Duncan, Eshelman, Gowey, Gordon, Green, Hardy, Harrison, Hatfield, Haven, Heitmann, Herron, Hill, Hoagland, Holloway, Holt, Huston, Johnson, Kemp, Light, Martin, McCloud, McCoy, Mesloh, Moorehead, Morris, Munson, Murlin, Myers of Ashland, Myers of Fayette, Neff, Newell, Pattison, Poe, Ramsay, Ray, Richards, Robb, Sater, Scott, Sheppard, Sherrick, Thompson of Montgomery, Tryon, Varley, Vincent, Walker and Weible—68.

So the House refused to adjourn.

Mr. Newton appeared within the bar of the House and answered to the call.

Mr. Chapman of Cuyahoga moved that all further proceedings under the call be dispensed with.

On which the yeas and nays were ordered, and resulted—yeas 39, nays 40, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Barrett, Beatty, Blake, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Cooley, Conkright, Duncan, Faxon, Gordon, Grosvenor, Hatfield, Haven, Hodge, Holloway, Holt, Johnson, Marx, Martin, Munson, Myers of Fayette, Neff, Newton, Oren, Pattison, Ramsay, Ray, Richards, Scott, Thompson of Lucas, Tryon, Varley, Vincent, Watson, Weible and Williams—39.

Those who voted in the negative were—

Messrs. Archer, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Baskin, Beach, Bell, Boyce, Brunner, Case, Cole, Conklin, Eidson, Eshelman, Ford, Gowey, Green, Hardy, Harrison, Heitmann, Hill,

Hoagland, Kemp, Lewis, Light, Loomis, McCoy, Mesloh, Moorehead, Morris, Murlin, Myers of Ashland, Poe, Robb, Sater, Sheppard, Thompson of Montgomery, Walker and White—40.

So the House refused to dispense with further proceedings under the call.

The Sergeant-at-Arms reported that he had brought all members into the House now in the city.

Mr. Marx moved that all further proceedings under the call be dispensed with.

On which the yeas and nays were ordered, and resulted—yeas 39, nays 41, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Baker of Fairfield, Baker of Perry, Barrett, Baskin, Beach, Carnahan, Cole, Conkright, Duncan, Eshelman, Gordon, Harrison, Hatfield, Haven, Heitmann, Herron, Hill, Hodge, Holt, Huston, Marx, Mesloh, Myers of Ashland, Myers of Fayette, Neff, Newell, Newton, Oren, Pattison, Robb, Scott, Sherrick, Thompson of Lucas, Tryon, Varley, Vincent, Watson and Weible—39.

Those who voted in the negative were—

Messrs. Armstrong of Belmont, Baker of Coshocton, Barnett, Beatty, Bell, Blake, Boyce, Chapman of Cuyahoga, Chapman of Meigs, Cooley, Conklin, Eidson, Faxon, Ford, Gowey, Green, Grosvenor, Hardy, Hoagland, Holloway, Johnson, Kemp, Light, Loomis, Martin, McCloud, McCoy, Moorehead, Morris, Munson, Murlin, Parker, Poe, Ramsay, Ray, Richards, Sheppard, Thompson of Montgomery, Walker, White and Williams—41.

So the motion was disagreed to.

Mr. Chapman of Cuyahoga moved that the Sergeant at-Arms be dispatched for Messrs. Norton, Inman and McKinley.

Mr. McCoy moved to amend the motion by sending a telegram.

Mr. Thompson of Lucas moved that all further proceedings under the call be dispensed with.

On which the yeas and nays were ordered, taken, and resulted—yeas 50, nays 24, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Armstrong of Guernsey, Baker of Coshocton, Baker of Perry, Beach, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Cooley, Conkright, Duncan, Eshelman, Faxon, Gordon, Green, Harrison, Hatfield, Haven, Heitmann, Herron, Hodge, Holt, Johnson, Light, Loomis, Marx, Martin, McCloud, Mesloh, Murlin, Myers of Ashland, Myers of Fayette, Newell, Newton, Oren, Parker, Pattison, Ray, Robb, Scott, Thompson of Lucas, Tryon, Varley, Vincent, Walker, Watson, Weible, White, Williams and Speaker—50.

Those who voted in the negative were—

Messrs. Baskin, Beatty, Bell, Blake, Boyce, Brunner, Case, Conklin, Ford, Gowey, Grosvenor, Hardy, Hill, Hoagland, Huston, Kemp, Lewis, McCoy, Morris, Poe, Sheppard, Sherrick, Thompson of Montgomery, and Walker—24.

So the motion was agreed to.

The question being "Shall the main question now be put?" the yeas and nays were ordered, taken, and resulted—yeas 40, nays 39, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Barrett, Beatty, Blake, Chapman of Cuyahoga, Cooley, Conkright, Duncan, Eshelman,

Faxon, Ford, Gowey, Gordon, Grosvenor, Harrison, Haven, Herron, Hodge, Holloway, Holt, Johnson, Loomis, Marx, Martin, Morris, Munson, Myers of Fayette, Neff, Newton, Oren, Ramsay, Ray, Richards, Scott, Thompson of Lucas, Tryon, Varley, Vincent and Williams—40.

Those who voted in the negative were—

Messrs. Archer, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Baskin, Beach, Bell, Boyce, Brunner, Case Carnahan, Cole, Conklin, Green, Hardy, Hatfield, Heitmann, Hill, Hoagland, Huston, Kemp, Lewis, McCloud, McCoy, Mesloh, Moorehead, Murlin, Myers of Ashland, Parker, Pattison, Poe, Robb, Sater, Sheppard, Sherrick, Thompson of Montgomery, Walker, Weible and White—39.

So the demand for the main question was sustained.

The question then being on agreeing to the amendment as amended, by the House, the yeas and nays were ordered, taken and resulted—yeas 73, nays 6, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Armstrong of Guernsey, Baker of Fairfield, Baker of Perry, Barnett, Barrett, Baskin, Beach, Bell, Boyce, Brunner, Case, Chapman of Cuyahoga, Chapman of Meigs, Cole, Cooley, Conklin, Conkright, Duncan, Eshelman, Faxon, Ford, Gowey, Grosvenor, Hardy, Harrison, Hatfield, Haven, Heitmann, Herron, Hill, Hoagland, Hodge, Holloway, Holt, Huston, Johnson, Kemp, Lewis, Light, Loomis, Marx, Martin, McCloud, McCoy, Mesloh, Moorehead, Morris, Munson, Myers of Fayette, Neff, Newton, Oren, Parker, Pattison, Poe, Ray, Richards, Robb, Sater, Scott, Sheppard, Sherrick, Thompson of Lucas, Thompson of Montgomery, Tryon, Varley, Vincent, Walker, Watson Weible and Williams—73.

Those who voted in the negative were—

Messrs. Baker of Coshocton, Beatty, Carnahan, Gordon, Newell and White—6.

So the amendment, as amended, was agreed to.

The question then recurring on the original motion of Mr. Marx, as amended by the House, the yeas and nays were ordered, taken, and resulted—yeas 41, nays, 44, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Barrett, Beatty, Blake, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Cooley, Conkright, Duncan, Faxon, Ford, Gowey, Gordon, Grosvenor, Harrison, Haven, Herron, Hodge, Holloway, Holt, Johnson, Loomis, Mack, Marx, Martin, Morris, Munson, Myers of Fayette, Neff, Newton, Oren, Ray, Richards, Scott, Thompson of Lucas, Tryon, Varley, Weible, and Williams—41.

Those who voted in the negative were—

Messrs. Archer, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Baskin, Beach, Bell, Boyce, Brunner, Case, Cole, Conklin, Eshelman, Hardy, Hatfield, Heitmann, Hill, Hoagland, Huston, Kemp, Lewis, Light, McCloud, McCoy, Mesloh, Moorehead, Murlin, Myers of Ashland, Newell, Parker, Pattison, Poe, Ramsay, Robb, Sater, Sheppard, Sherrick, Thompson of Montgomery, Vincent, Walker, Watson, White and Speaker —44.

So the motion was disagreed to.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate requests the return of H. J. R. No. 4, relative to the enactment of only such laws as are imperatively demanded by the needs of

the people before the adoption or rejection of the new Constitution, for reconsideration.

Attest: S. K. DONAVIN, *Clerk.*

On motion of Mr. Scott, the request of the Senate was acceded to.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has acceded to the request of the House of Representatives for a committee of conference on Senate amendments to H. B. No. 72, making appropriations for the Constitutional Convention and General Assembly.

The President has appointed Messrs. Worthington, Andrews and Jones such committee on part of the Senate.

Attest: S. K. DONAVIN, *Clerk.*

Mr. McCoy moved that the House take a recess.

On which motion the yeas and nays were demanded, ordered, and resulted—yeas 43, nays 26, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Guernsey, Baker of Fairfield, Barnett, Barrett, Baskin, Beach, Boyce, Brunner, Cole, Conklin, Eshelman, Gordon, Hardy, Hatfield, Haven, Heitmann, Hill, Hoagland, Huston, Johnson, Kemp, Lewis, Light, Loomis, McCloud, McCoy, Mesloh, Moorehead, Murlin, Myers of Ashland, Newell, Parker, Pattison, Robb, Sater, Sheppard, Sherrick, Thompson of Montgomery, Varley, Vincent, Weible, and Williams—43.

Those who voted in the negative were—

Messrs. Armstrong of Belmont, Baker of Perry, Bell, Blake, Case, Carnahan, Chapman of Cuyahoga, Cooley, Conkright, Duncan, Gowey, Harrison, Herron, Holloway, Holt, Marx, Martin, Morris, Munson, Neff, Newton, Ramsay, Ray, Richards, Scott and Walker—26.

So the motion was agreed to, and the House took a recess.

HALF-PAST TWO O'CLOCK P M.

Mr. Loomis demanded a call of the House, and 65 members answered to their names.

The Sergeant-at-Arms was ordered to bring in the absentees.

Mr. Brunner moved that further proceedings under the call be dispensed with.

Which was agreed to.

Leave of absence for indefinite time was granted Mr. Mack.

The question then being on Mr. Neff's motion to reconsider the vote in regard to adjournment, the yeas and nays were demanded, ordered, and resulted—yeas 26, nays 46, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Barrett, Beatty, Blake, Carnahan, Chapman of Cuyahoga, Cooley, Duncan, Faxon, Grosvenor, Harrison, Haven, Herron, Holloway, Johnson, Loomis, Martin, Morris, Munson, Myers of Fayette, Neff, Newton, Ray, Richards and Scott—26.

Those who voted in the negative were—

Messrs. Archer, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Baskin, Beach, Bell, Brunner, Case, Cole, Conklin, Eshelman, Ford, Gowey, Green, Hardy, Hatfield, Heitmann, Hill, Hoagland, Holt,

Huston, Kemp, Lewis, Light, McCloud, McCoy, Mesloh, Moorehead, Murlin, Myers of Ashland, Oren, Parker, Pattison, Poe, Robb, Sater, Sheppard, Sherrick, Thompson of Montgomery, Varley, Vincent, Walker, Watson and White—46.

So the motion was disagreed to.

The Journal of yesterday's proceedings was then read.

Mr. Scott moved that the Journal be corrected as to H. J. R. No. 4, wherein Mr. Sater's name erroneously appears for Mr. Scott's.

Which was agreed to.

The Journal, as amended, was then approved.

Mr. Chapman of Cuyahoga presented the remonstrance of A. P. Girty, G. R. Tuttle, and 350 other citizens of Cuyahoga county, remonstrating against the passage of H. B. No. 35, to protect land-holders.

Which was referred to the committee on Agriculture.

Mr. Eidson presented the memorial of A. H. Stephens, M. D., and fifteen other physicians of Preble county, Ohio, asking this body to protect them against unjust and malicious prosecutions.

Which was referred to the committee on Medical Colleges and Societies.

Mr. Holloway presented the petition of Alexander Niblo and 104 other citizens of Columbiana county, asking that no act be passed that would in any way modify or weaken any of the present liquor laws of the State.

Which was referred to the committee on Temperance.

Mr. Holloway presented the petition of J. E. Pollock and 120 other citizens of Columbiana county, asking that no act be passed that will in any way modify or weaken any of the present liquor laws of the State.

Which was referred to the committee on Temperance.

Mr. Holloway presented the petition of A. M. Shurick and 151 other citizens of Columbiana county, asking that no laws be enacted that will in any way modify or weaken any of the present liquor laws of the State.

Which was referred to the committee on Temperance.

Mr. Heitmann presented the petition of James G. Bull and 1,920 other citizens of Columbus, Franklin county, praying that the act providing for the appointment of police commissioners for the city of Columbus may be repealed or so amended as to allow the legal voters of said city to elect their own officers.

Which was referred to the committee on Municipal Corporations.

Mr. Harrison presented the memorial of A. B. Monahan and 12 other citizens of Jackson county, desiring legal protection against unjust and malicious prosecutions for alleged malpractice in the medical profession.

Which was referred to the committee on Medical Colleges and Societies.

Mr. Hoagland presented the petition of Samuel Voorhes and 29 other citizens of Holmes county, praying for an amendment to the game laws, so as to protect them from sportsmen.

Which was referred to the committee of Agriculture.

Mr. Newell presented the petition of Samuel F. Fost and 427 other citizens of Hamilton county, protesting against the passage of House Bills Nos. 35 and 45.

Which was referred to the committee on Agriculture.

Mr. Parker presented the petition of Daniel Keethler and 421 other citizens of Brown county, praying for the commissioners of said county to be empowered to construct a free turnpike road, to commence at Sardinia, and from thence to Mt. Orab, and thence on the bed of the old plank-road to the county line between Brown and Clermont counties, being about ten miles.

Which was referred to the committee on Turnpikes.

Mr. Blake presented the petition of Wallace Williamson and 50 other tax-paying citizens of Portage county, praying for a law protecting growing crops, fences and farm improvements from damage by hunting with dogs and guns.

Which was referred to the committee on Agriculture.

Leave of absence were asked and obtained as follows:

For Mr. Holloway, for an indefinite time; for Messrs. Cole, Bay, Scott, Blake, Conkright, Howland and Miller, until Monday next; for Messrs. Ray, Johnson, Harrison, West and Haven, until Tuesday next.

Mr. Loomis offered the following resolution:

H. R. No. 63: *Resolved*, That experience teaches us the wisdom of regular periods of adjournment; that it prevents occasion for numerous and frequent requests for leaves of absence, and really advances the cause of legislation, shortens the sessions of the Assembly, and thereby advances the interests of the people at large.

Resolved, That this House will adjourn on Friday, February 6, 1874, until Tuesday, February 10, 1874, at 2½ o'clock P.M., and that regular adjournments shall be taken each three weeks thereafter during the session from Friday noon until Tuesday, at 2½ o'clock P.M.

Mr. Eshelman gave notice of a desire to discuss said resolution; so under the rule, it was laid on the table.

Mr. Loomis moved that the rule be suspended, and the resolution be discussed now.

On which motion the yeas and nays were ordered, taken, and resulted—yeas 25, nays 39, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Barrett, Beatty, Blake, Carnahan, Cooley, Ford, Gowey, Gordon, Grosvenor, Herron, Holloway, Johnson, Loomis, Morris, Munson, Myers of Fayette, Neff, Oren, Ramsay, Richards, Vincent, Watson and Williams—25.

Those who voted in the negative were—

Messrs. Archer, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Baskin, Beach, Bell, Brunner, Case, Cole, Conklin, Eshelman, Green, Hardy, Hatfield, Haven, Heitmann, Hill, Hoagland, Kemp, Light, Martin, McCloud, McCoy, Moorehead, Murlin, Myers of Ashland, Newell, Parker, Robb, Sater, Scott, Sheppard, Sherrick, Thompson of Montgomery, Varley, Walker and White—39.

So the House refused to suspend the rule.

Mr. Grosvenor submitted the following report:

The committee on Revision have examined, and found correctly engrossed, House Bills Nos. 96, 114, 124 and 138.

C. H. Grosvenor, Orvil Blake,
E. B. Parker, Jon. Morris.
Geo. W. Boyce,

Mr. Morris offered the following resolution, which was adopted:

H. R. No. 64: *Resolved*, That the Sergeant-at-Arms be and he is hereby instructed to have the Clerk's room cleaned and kept in good order.

On motion of Mr. Beatty, the second reading of H. B. No. 155, relating to the management of benevolent, penal and reformatory institutions, and the building, alteration and repairs of State asylums and other State buildings, was postponed until to morrow.

S. B. No. 10, to amend section 28 of the code of civil procedure, passed April 18, A.D. 1870, was read the second time, and referred to the committee on Judiciary.

Leave of absence until Tuesday next was asked and obtained for Messrs. Hodge, Armstrong of Belmont, and Chapman of Cuyahoga.

Mr. Baker of Coshocton asked leave of absence until Monday next.

On which the yeas and nays were ordered, taken, and resulted—yeas 40, nays 8, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Baskin, Bell, Blake, Brunner, Cole, Cooley, Conklin, Eidson, Faxon, Gordon, Green, Grosvenor, Hatfield, Haven, Herron, Hill, Johnson, Kemp, Light, McCoy, Mesloh, Moorehead, Murlin, Myers of Ashland, Myers of Fayette, Neff, Newell, Newton, Parker, Poe, Sater, Scott, Sherrick, Thompson of Lucas, Varley, Walker, Watson, White and Williams—40.

Those who voted in the negative were—

Messrs. Beatty, Carnahan, Hoagland, Loomis, Munson, Richards, Thompson of Montgomery, and Vincent—8.

So the leave of absence was granted.

Mr. Parker moved that the House do now adjourn.

On which motion the yeas and nays were ordered, taken, and resulted—yeas 22, nays 40, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Blake, Carnahan, Chapman of Cuyahoga, Cooley, Eshelman, Ford, Grosvenor, Herron, Huston, Johnson, Loomis, Munson, Murlin, Newton, Oren, Parker, Richards, Thompson of Lucas, and White—22.

Those who voted in the negative were—

Messrs. Archer, Baker of Fairfield, Baker of Perry, Beach, Beatty, Bell, Brunner, Case, Cole, Conklin, Faxon, Gowey, Gordon, Green, Hardy, Harrison, Hatfield, Haven, Heitmann, Hill, Hoagland, Holt, Kemp, Light, McCoy, Moorehead, Myers of Ashland, Myers of Fayette, Neff, Newell, Poe, Robb, Sater, Sheppard, Sherrick, Stone, Thompson of Montgomery, Varley, Walker and Watson—40.

So the House refused to adjourn.

S. B. No. 30, for the prosecution and punishment of certain offenses therein named, was read the second time, and referred to the committee on Judiciary.

Mr. Scott moved that the third reading of bills be postponed until Tuesday next.

Mr. Munson moved to postpone until Wednesday instead of Tuesday.

Which was agreed to.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has concurred in the passage of H. B. No. 38, to authorize the trustees of Crane township, Wyandot county, to appropriate funds accruing from the sale of certain railroad bonds, now in the treasury of said township, for road purposes.

Attest: S. K. DONAVIN, *Clerk.*

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has ordered the return of H. B. No. 69, for the relief of Joseph S. Pierce, and requests that the same be properly engrossed.

Attest: S. K. DONAVIN, *Clerk.*

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has reconsidered the vote postponing H. J. R. No. 4, relative to the enactment of only such laws as are imperiously demanded by the needs of the people before the adoption or rejection of the new State Constitution, and has concurred in the adoption of said resolution.

Attest: S. K. DONAVIN, *Clerk.*

The following bills were introduced and read the first time:

H B. No. 165—By Mr. Hatfield: To create original fractional township 8, north, range 12, east, in Wood county, Ohio, and the part of township 3, United States Reserve, lying west of and between said township 8 and Maumee river, into a separate civil township.

H. B. No. 166—By Mr. Holloway: Authorizing the creation of an additional sub-district in Madison township, Columbiana county.

H. B. No. 167—By Mr. Green: Supplementary to the act prescribing the duties of county auditors, passed and took effect April 4, 1859, as amended January 4, 1873.

H. B. No. 168—By Mr. Gordon: Authorizing the commissioners of Hamilton county to build a new bridge and approaches on or below the present Union bridge site.

H. B. No. 169—By Mr. Hardy: To amend an act passed April 15, 1867, entitled an act to provide for the voluntary dissolution of corporations.

Mr. Moorehead submitted the following report:

The committee on Common Schools and School Lands, to whom was referred H. B. No. 30, relating to section 29, in Green township, Hamilton county, having had the same under consideration, report it back, and recommend its indefinite postpoment.

J. A. MOOREHEAD, A. W. MUNSON,
G. W. LIGHT, H. G. TRYON.
JOHNSON SHERRICK, E. MARTIN.
O. CASE,

The report was agreed to, and the bill indefinitely postponed.

Mr. Martin submitted the following report:

The committee on Common Schools and School Lands, to whom was refrrred H. No. 14 , to create a joint sub-district for school purposes in the townships of Gratis and Lanier, Preble county, and German and Jackson townships, in Montgomery county, having had the same under consideration, report it back, with the following amendment, and recommend that it be engrossed and passed: In section 1, line two, after "in" insert "Gratis township."

E. MARTIN, G. W. LIGHT,
O. CASE, JOHNSON SHERRICK,
J. A. MOOREHEAD, H. G. TRYON.

The amendment was agreed to, and the bill ordered to be engrossed, and read the third time on Wednesday next.

Mr. Bell submitted the following report:

The committee on Public Works, to whom was referred H. B. No. 62, to authorize the Board of Public Works to lower three or more culvert along the National road, between the villages of Etna and Wagram, in Licking county, having had the same under consideration, report it back, with the following amendment, and recommend that it be engrossed and passed: In section 3, line two, strike out "six" and insert "eight."

WM. BELL, JR., J. H. HEITMANN,
O. CASE, JAS. L. HAVEN.
GEO. JOHNSON,

The amendment was agreed to, and the bill ordered to be engrossed, and read the third time on Thursday next.

Mr. Brunner offered the following resolution, which was adopted:

H. R. No. 65: *Resolved*, That the Secretary of State be requested to furnish to this House, at an early day, a copy of the contract under which Nevins & Myers are doing the State printing.

Mr. Brunner offered the following resolution, which was adopted:

H. R. No. 66: *Resolved*, That the committee on the Judiciary be instructed to examine the contract under which Messrs. Nevins & Myers are doing the State printing, and the law regulating all State legal printing, and report to the House, at an early day, whether the printing of the complimentary labels furnished members of the House was provided for in said contract, and whether the auditing of said bill by the Supervisor of State Printing, and the payment of the same by the Treasurer of State, was not in violation of section 29, article II, of the Constitution of the State of Ohio.

Mr. Bell offered the following resolution:

H. R. No. 67: *Resolved*, That the Sergeant-at-Arms is hereby authorized to purchase four dozen cane-seat chairs for the use of the members of the House.

On motion of Mr. Scott, said resolution was referred to the committee on Public Buildings.

On motion of Mr. Archer, the House adjourned.

Attest: THOMAS COUGHLIN, *Clerk*.

SATURDAY, FEBRUARY 7, 1874—10 o'clock A.M.

The House met pursuant to adjournment.

Prayer by the Rev. W. E. Moore.

The Journal was read and approved.

Mr. White presented the petitition of Samuel Myers and 109 other citizens of Crawford county, for a change in the county ditch law.

Which was referred to the committee on Ditches, Drains and Watercourses.

Mr. Sherrick presented the petion of C. J. Geiger and 583 other citizens of Canton, Stark county, praying that the school board of said city be not authorized to make a loan of $100,000 to build new school-houses.

Which was referred to the committee on Common Schools and School Lands

Mr. Varley presented the memorial of J. G. Stevens and seven other citizens of Washington county, asking protection against malicious and unjust prosecution for alleged malpractice.

Which was referred to the committee on Medical Colleges and Societies.

Mr. Thompson of Montgomery presented the remonstrance of A. H. Blossom and 152 other citizens of Montgomery county, protesting against the passage of the bill of Mr. Kemp, for the protection of game from hunters.

Which was referred to the committee on Agriculture.

Mr. Grosvenor moved to reconsider the vote whereby the third reading of S. B. No. 11 was postponed until next Wednesday.

Which was agreed to, and said bill was ordered to be read the third time now.

S. B. No. 11, to authorize the commissioners of Washington county to establish and construct a public road in Belpre township of said county, was then read the third time.

Mr. Grosvenor moved that the bill be referred to a select committee of one, with instructions to amend as follows: In first line strike out the words "and Ohio."

Which was agreed to, and Mr. Grosvenor appointed said committee, who, on leave, reported the bill back, amended as instructed:

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 55, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Guernsey, Baker of Fairfield, Baker of Perry, Baskin, Beach, Bell, Brunner, Case, Carnahan, Cole, Cooley, Eidson, Eshelman, Faxon, Gowey, Green, Grosvenor, Hardy, Hatfield, Heitmann, Herron, Hill, Hoagland, Holt, Light, Loomis, McCloud, Mesloh, Moorehead, Morris, Murlin, Myers of Fayette, Neff, Newell, Newton, Oren, Parker, Poe, Ramsay, Richards, Robb, Sater, Sheppard, Sherrick, Thompson of Lucas, Thompson of Montgomery, Tryon, Varley, Vincent, Walker, Watson, White, Williams and Speaker—55.

So the bill passed. The title was agreed to.

The following bill was read the second time:

H. B. No. 155: Relating to the management of benevolent, penal and reformatory institutions, and the building, alteration and repairs of State asylums and other State buildings.

Referred to the committee on Insane Asylums.

On motion of Mr. Parker, the third reading of H. B. No. 66, to authorize the board of Education of Huntington township, Brown county, to levy a special tax to pay an existing indebtedness of school building fund, was postponed until Wednesday next.

The following bills were introduced, and read the first time:

H. B. No. 170—By Mr. Heitmann: Supplementary to an act entitled an act to amend section 1 of an act entitled an act to authorize the commissioners of Franklin county to build a bridge across the Scioto river, in said county, and to levy a tax for that purpose, passed April 17, 1872.

H. B. No. 171—By Mr. Case: To amend section 78 of an act entitled an act to amend an act entitled an act for the assessment and taxation of property in this State, and for levying taxes thereon according to its true value in money, passed April 5, 1859, as amended April 8, 1865.

H. B. No. 172—By Mr. Green: To attach the north half of section 28, township 7, south, range 6, east, to joint sub-district No. 1, Franklin township, Shelby county.

H. B. No. 173—By Mr. Eidson: To repeal certain sections of an act entitled an act for the regulation and maintenance of common schools (O. L., Vol. 70, p. 227), passed May 1, 1873

H. B. No. 174—By Mr. Parker: To authorize the county commissioners of Brown county to construct a free turnpike road from Sardinia, in said county, to the county line between Brown and Clermont counties.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The following bills have been introduced in the Senate, and read the first time:

S. B. No. 58—By Mr. Rukenbrod: Supplementary to an act entitled an act for the establishment, support and regulation of children's homes in

the several counties of the State, and repealing a certain act therein named, passed and took effect April 7, 1867. (S. & S., p. 724.)

S. B. No. 59—By Mr. Newman: To authorize a special term of the district court for Adams county.

S. B. No. 60—By Mr. Potter: To authorize the city of Toledo, in the State of Ohio, to borrow money.

Attest: S. K. DONAVIN, *Clerk.*

Mr. Parker submitted the following report:

The joint committee on Enrollment have examined, and found correctly enrolled, the following joint resolution:

H. J. R. No. 4: Relative to the enactment of only such laws as are imperatively demanded by the needs of the people before the adoption or rejection of the new State Constitution.

E. B. PARKER, J. C. FISHER,
L. A. BRUNNER, A. M. BURNS,
B. NEFF, S. KNOX.

The Speaker then, in the presence of the House, signed said joint resolution.

Mr. Gowey submitted the following report:

The committee on Privileges and Elections, to whom was referred H. B. No. 140, to amend an act entitled an act to provide for the safety of persons attending public assemblies, having had the same under consideration, report it back, with the recommendation that it be indefinitely postponed.

J. F. GOWEY, R. C. THOMPSON,
T. M. ROBB, HIRAM MURLIN,
L. A. BRUNNER, SHELDEN NEWTON.
C. C. ARCHER,

The report was agreed to, and the bill indefinitely postponed.

Mr. Hardy submitted the following report:

The joint committee on Enrollment have examined, and found correctly enrolled, the following joint resolutions:

S. J. R. No. 11: Directing inquiry into the expenditures in the construction of the Central Lunatic Asylum.

S. J. R. No. 13: Distributing the copies of the joint rules and rules of the two Houses.

J. C. FISHER, E. B. PARKER,
S. KNOX, H. HARDY,
A. M. BURNS, O. B. CHAPMAN,
L. A. BRUNNER, B. NEFF.
J. M. PATTISON,

The Speaker then, in the presence of the House, signed said joint resolutions.

Mr. Gowey moved that the House do now adjourn.

Which was disagreed to.

There having been further debate,

On motion of Mr. Oren, the House adjourned.

Attest: THOMAS COUGHLIN, *Clerk.*

MONDAY, FEBRUARY 9, 1874—10 o'clock A.M.

The House met pursuant to adjournment.

Prayer by the Rev. I. F. Stidham.

The Journal of Saturday was read and approved.

Leave of absence was asked and obtained for this day for Messrs. Richards and Conklin.

Mr. Eshelman, on leave, introduced the following bill, which was read the first time:

H. B. No. 175—By Mr. Eshelman: Making appropriations for the fiscal year 1874, and the first quarter of the fiscal year 1875.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has passed the following bills, in which the concurrence of the House of Representatives is requested:

S. B. No. 39—By Mr. Hathaway: To amend section 8 of an act entitled an act amendatory of and supplementary to an act entitled an act to regulate insurance companies doing an insurance business in the State of Ohio, passed April 27, 1872, passed April 24, 1873. (O. L., Vol. 7, p. 147.)

S. B. No. 35—By Mr. Waddle: To amend section 13 of an act entitled an act to amend sections 12 and 13 of an act to provide for locating, establishing and constructing ditches, drains and water-courses in townships, and to repeal a certain act therein named. (Vol. 69 O. L., p. 45.)

S. B. No. 16—By Mr. Worthington: To amend the first section of an act entitled an act to provide for the proof, acknowledgment and recording of deeds and other instruments of writing, passed February 21, 1831, took effect June 1, 1831. (Vol. 29 O. L., 346; 1 S. & C., 458-460.)

Attest: S. K. DONAVIN, *Clerk.*

Said bills were read the first time.

Mr. Hardy presented the memorial of Charles E. Slocum, M.D., and five other citizens of Defiance county, praying that this General Assembly devise some measure to protect physicians against unjust and malicious prosecutions.

Which was referred to the committee on Judiciary.

Mr. Hoagland presented the petition of James Allison and 200 other citizens of Holmes county, praying for a reduction of fees and salaries of State and county officers.

Which was referred to the committee on Fees and Salaries.

Mr. Baker of Perry presented the petition of L. F. McKenna and 10 other citizens of Perry county, for protection against unjust and malicious prosecutions for alleged malpractice.

Which was referred to the committee on Medical Colleges and Societies.

Mr. Green presented the petition of J. E. Cummins, of Shelby county, to secure damages for school land overflowed by the Laramie reservoir, Shelby county, Ohio.

Which was referred to the committee on Public Works.

Mr. Pattison presented the petition of Dennis Maher and 360 other citizens of Hamilton and Clermont counties, against the reduction of tolls on turnpikes.

Which was referred to the committee on Turnpikes.

Mr. Parker submitted the following report:

The committee on Revision have examined, and found correctly engrossed, House bill No. 80.

E. B. PARKER, JON. MORRIS,
JOHNSON SHERRICK, GEO. W. BOYCE.

The following bills were read the second time:

H. B. No. 157: To amend section 1 of an act entitled an act to restrain from running at large certain animals therein named, passed April 12, 1867.

Referred to the committee on Agriculture.

H. B. No. 158: To establish and protect foot or sidewalks and shade and ornamental trees along certain public roads and highways.

On motion of Mr. Brunner, said bill was amended as follows: Strike out in line 1, section 2, the word "farmer," and substitute in lieu thereof the word "person."

Said bill was then referred to the committee on Roads and Highways.

H. B. No. 159: To amend section 14 of an act amendatory of and supplementary to an act entitled an act to provide for establishing an insurance department in the State of Ohio, passed April 26, 1873.

Referred to the committee on Insurance.

H. B. No. 160: To provide for judgments by default before justices of the peace and other officers.

Referred to the committee on Judiciary.

H. B. No. 161: To amend section 640 of an act entitled an act to provide for the organization and government of municipal corporations, passed May 7, 1869, as amended April 18, 1870, as amended by the act entitled an act limiting the rates of taxation in municipal corporations, passed May 2, 1871.

Referred to the committee on Municipal Corporations.

H. B. No. 162: To enable the common council of any city or incorporated vilage in this State having a population of twenty-five hundred inhabitants or more, through which any of the canals of this State may run, or for the board of county commissioners of the county in which such city or incorporated village may be situate, to construct and maintain for public use a swing-bridge or self-closing bridge on any highway where the same crosses such canal within the territory of said city or incorporated village.

Referred to the committee on Public Works.

On motion of Mr. Kemp, the third reading of H. B. No 80, to amend section 27 of an act relating to roads and highways, as amended by the act passed January 6, 1873, was postponed until to-morrow.

The following bills were introduced, and read the first time:

H. B. No. 176—By Mr. Hardy: To authorize the correction of clerical errors, omissions or defects, appearing to exist in description of real estate, in orders, decrees or findings of probate courts.

H. B. No. 177—By Mr. Green: To pay original surveyed township number 8, south, range 4, east, in Shelby county, for school lands overflowed by the Laramie reservoir.

H. B. No. 178—By Mr. Green: To transfer Shelby county from the first sub-division of the third judicial district to the second sub-division of said district.

On motion of Mr. Brunner, the House took a recess.

HALF-PAST TWO O'CLOCK P.M.

Mr. Case submitted the following report:

The committtee on Common Schools and School Lands, to whom was referred H. B. No. 84, to authorize the board of education in the city of Canton, in the county of Stark, to borrow money and issue bonds to purchase sites and build school-houses in Canton school district, having had the same under consideration, report it back, without recommendation.

O. CASE, J. A. MOOREHEAD,
G. W. LIGHT, H. G. TRYON.

On motion of Mr. Sherrick, said bill was indefinitely postponed.

Mr. Heitmann moved that the committee of the Whole be discharged from the further consideration of H. B. No. 142, and that it be referred to the committee on Judiciary.

Which was agreed to.

Mr. Blake presented the petition of Frank Ford, W. Williamson and 90 other citizens of Portage county, asking retrenchment in the expenses of the State government, with a reduction of salaries.

Which was referred to the committee on Fees and Salaries.

Mr. McCoy moved that H. R. No. 12 be taken from the table, and committed to the committee of the Whole.

Which was agreed to.

Mr. Sherrick offered the following resolution:

H. R. No. 68: WHEREAS, The present Constitution of Ohio provides that township trustees shall be elected annually; and

WHEREAS, It is often the case that three new men are elected to that position at the same time, and for want of experience, none having served in such position before, find it difficult to perform the requirements of the office; and

WHEREAS, It is often difficult for the new board of township trustees to settle transactions made by the old board, in consequence of none of its members having served on the old, and therefore not familiarly acquainted with the nature of some of their transactions; therefore

Resolved, That the Constitutional Convention be requested to take into consideration the expediency of framing the new Constitution so that townships shall elect their trustees for three years, and arrange it so that one be elected every year.

Resolved, That the Speaker of the House be required to forward a copy of these resolutions to the President of the Constitutional Convention at Cincinnati.

Mr. Scott moved to lay the resolution on the table, and that it be printed.

Which was not agreed to.

Mr. Oren moved to refer to the committee on the Judiciary.

Which motion was lost.

The resolution was then agreed to.

Mr. Scott, on leave, presented the petition of Dr. A. Sellers and three other physicians of Warren county, praying for the passage of a law to protect surgeons and physicians against malicious prosecutions for alleged malpractice.

Which was referred to the committee on Medical Colleges and Societies.

On motion of Mr. Eshelman, the House adjourned.

Attest: THOMAS COUGHLIN, *Clerk.*

TUESDAY, FEBRUARY 10, 1874—10 o'clock A.M.

The House met pursuant to adjournment.

Prayer by the Rev. I. F. Stidham.

The Journal was read and approved.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has adopted the following joint resolution, in which the concurrence of the House of Representatives is requested:

S. J. R. No. 14—By Mr. Jones: Directing the cancellation of certain bonds in the hands of the Treasurer of State.

Attest: S. K. DONAVIN, *Clerk.*

On motion of Mr. Scott, said resolution was referred to the committee on the Judiciary.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has adopted H. J. R. No. 10, relative to printing the report of the Secretary of State, after amending the same as follows:

In third line strike out the word "fourteen," and insert "ten" in lieu thereof.

Attest: S. K. DONAVIN, *Clerk.*

Mr. Brunner moved to recommit the resolution to the committee on Public Printing.

On which the yeas and nays were demanded, ordered, and resulted—yeas 16, nays 41, as follows:

Those who voted in the affirmative were—

Messrs. Baskin, Boyce, Brunner, Cole, Conklin, Eshelman, Geghan, Green, Hardy, Hill, Hoagland, Huston, Miller, Moorehead, Pearson and Sheppard—16.

Those who voted in the negative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Baker of Fairfield, Baker of Perry, Bay, Bell, Blake, Case, Carnahan, Chapman of Cuyahoga, Coler, Cooley, Conkright, Eidson, Faxon, Ford, Gowey, Harrison, Herron, Holloway, Light, Loomis, Morris, Munson, Myers of Fayette, Neff, Newton, Oren, Parker, Poe, Richards, Richmond, Sherrick, Thompson of Lucas, Tryon, Varley, Vincent, Walker, Watson, White and Williams—41.

So the motion was disagreed to.

The question then being on agreeing to the Senate amendment, the yeas and nays were ordered, and resulted—yeas 36, nays 33, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Guernsey, Baker of Fairfield, Baker of Perry, Beach, Boyce, Case, Carnahan, Cole, Coler, Conkright, Geghan, Gowey, Gordon, Harrison, Hatfield, Hill, Holloway, Light, Mesloh, Miller, Munson, Norton, Oren, Parker, Poe, Richards, Sater, Scott, Sherrick, Thompson of Lucas, Varley, Vincent, Walker, Watson, White and Williams—36.

Those who voted in the negative were—

Messrs. Armstrong of Belmont, Barrett, Baskin, Bay, Bell, Blake, Brunner, Chapman of Cuyahoga, Cooley, Conklin, Eidson, Eshelman, Faxon, Ford, Green, Hardy, Herron, Hoagland, Huston, Kemp, Loomis, Moorehead, Morris, Murlin, Myers of Fayette, Neff, Newton, Pearson, Ramsay, Richmond, Sheppard, Thompson of Montgomery, and Tryon—33.

So, the amendment, not having received a constitutional majority, was not concurred in.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The following bills have been introduced in the Senate and read the first time:

S. B. No. 61—By Mr. Morris: To re-district cities of the second class.

S. B. No. 62—By Mr. Thompson: To authorize the board of county commissioners of the county of Franklin, Ohio, to use and apply any unexpended moneys, levied and collected upon the duplicate of said county, for the erection of a new building for the infirmary of said county, in

payment of the interest and principal of the Agricultural and Mechanical bonds of said county.

S. B. No. 63—By Mr. Andrews: To amend the 534th section of an act to establish a code of civil procedure, passed March 11, 1853. (S. & C., p. 1112.)

S. B. No. 64—By Mr. Waddle: To repeal an act entitled an act to provide for the registry of births and deaths, passed March 18, and took effect July 1, 1867. (S. & S., pp. 739, 740.)

S. B. No. 65—By Mr. Ferrall: Prescribing further duties of probate judges, and regulating rights of widows in certain cases.

S. B. No. 66—By Mr. Hathaway: To amend sections 59 and 504 of an act entitled an act to provide for the organization and government of municipal corporations, passed May 7, 1869. (Vol. 66 O. L., p. 149.)

S. B. No. 67—By Mr. Seitz: To amend an act entitled an act to amend section 7 of an act to provide for the election of township assessors, and to prescribe their duties. (S. & S., p. 19.)

S. B. No. 68—By Mr. Andrews: To amend section 16 of an act to provide for the partition of real estate, passed February 17, 1831. (S. & C., Vol. 1, p. 899.)

S. B. No. 69—By Mr. Thompson: To amend sections 435 and 436 of an act entitled an act to provide for the organization and government of municipal corporations, passed May 7, 1869. (Vol. 66 O. L., pp. 149–221.)

S. B. No. 70—By Mr. Thompson: Prescribing the rate of taxation for county, bridge, road and township purposes, and to repeal certain acts therein named.

S. B. No. 71—By Mr. Potter: To amend the act entitled an act to establish and maintain an agricultural and mechanical college in Ohio, passed March 22, 1870. (Vol. 67 O. L., p. 20.)

S. B. No. 72—By Mr. Jones: To provide for the disposition of unclaimed freight and express packages, and to amend an act entitled an act providing for the disposition of unclaimed freight and express packages, passed April 16, 1867. (S. & S., p. 93.)

S. B. No. 73—By Mr. Reid: To amend section 1 of an act entitled an act supplementary to an act to provide for the creation and regulation of incorporated companies in the State of Ohio, passed May 1, 1862 [1852] (S. & C., 271; Swan's R. S. 197), passed April 12, 1865 (S. & S., 277), as amended February 18, 1873. (70 O. L., p. 37.)

Attest: S. K. DONAVIN, *Clerk.*

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has concurred in the passage of H. B. No. 3, to amend section 70 of an act entitled an act to establish a code of civil procedure, passed March 11, 1853, with proposed amendments.

Attest: S. K. DONAVIN, *Clerk.*

The question being on agreeing to the Senate's amendments to the bill, the yeas and nays were ordered, and resulted—yeas 71, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Armstrong of Guernsey, Baker of Fairfield, Baker of Perry, Barrett, Baskin, Bay, Bell, Blake, Case, Carnahan, Chapman of Cuyahoga, Cole, Coler, Cooley, Conklin, Conkright, Eidson, Eshelman, Faxon, Ford, Geghan, Gowey, Gordon, Green, Hardy, Harrison, Hatfield, Heitmann, Herron, Hill, Hoagland, Holt, Howland,

Huston, Kemp, Lewis, Light, Loomis, McCoy, Mesloh, Miller, Moorehead, Morris, Munson, Murlin, Myers of Fayette, Neff, Newton, Norton, Oren, Parker, Pattison, Pearson, Poe, Ramsay, Richards, Richmond, Robb, Sater, Scott, Sherrick, Thompson of Lucas, Thompson of Montgomery, Tryon, Varley, Vincent, Walker, Watson, White and Williams—71.

So the amendments were agreed to.

Mr. Thompson of Montgomery presented the petition of Simon Rohrer and 166 other citizens of Montgomery county, praying for the passage of H. B. No. 93, for the reduction of tolls on turnpikes and plank-roads in the State of Ohio.

Which was referred to the committee on Turnpikes.

Mr. White presented the petition of W. M. Reid and 95 other citizens of Crawford county, asking for the passage of H. B. No. 35.

Which was referred to the committee on Agriculture.

Mr. Ford presented the petition of H. S. Black and 18 other citizens of Russell township, Geauga county, asking for the passage of an act authorizing the trustees of said township to levy a tax for the purchasing of a hearse, and the erection of a suitable building in which to keep the same.

Which was referred to a select committee of one—Mr. Ford.

Mr. Conklin presented the petition of A. T. Walling and thirteen other citizens of Pickaway county, all of said petitioners being members of the bar of Pickaway county, asking for a change in the fifth judicial district.

Which was referred to the committee on Judiciary.

Mr. Bell presented the petition of Wm. B. Showman and two hundred other citizens of Licking county, praying for the abandonment of what is known as the Granville feeder, in Licking county.

Which was referred to the committee on Public Works.

Mr. Holloway presented the petition of Daniel Geiger and 90 other citizens of Mahoning county, asking a reduction of salaries of county and State officers.

Which was referred to the committee on Fees and Salaries.

Mr. Holloway presented the remonstrance of C. Brush and 155 other citizens of Smith township, Mahoning county, against the removal of the seat of justice of Mahoning county from Canfield to Youngstown.

Which was referred to the committee on New Counties and County Affairs.

Mr. Faxon presented the petition of M. J. Linden and 107 other citizens of Avon township, Lorain county, praying for an act authorizing the trustees of said township to levy a tax to buy a hearse and build a house in which to keep the same.

Which was referred to a select committee of one—Mr. Faxon.

Mr. Williams presented the petition of L. D. Foster and 181 other citizens of Delaware county, against the passage of the Kemp game bill; also, against the repeal of the act appointing fish commissioners.

Which was referred to the committee on Agriculture.

Mr. Conklin presented the petition of George Wood and 139 other citizens of Pickaway county, asking for the passage of a law authorizing the commissioners of said county to build a bridge, and to levy a tax to pay for the same.

Which was referred to the committee on Roads and Highways.

Mr. Conklin presented the petition of George Wood and 133 other citizens of Pickaway county, asking for the passage of a law authorizing the commissioners of said county to build a bridge, and to levy a tax to pay for the same.

Which was referred to the committee on Roads and Highways.

Mr. Gordon presented the memorial and petition of P. T. Turpin and 244 other citizens of Hamilton county.

Which was referred to the committee on New Counties and County Affairs.

Mr. Pearson presented the petition of W. R. Brondriff and 39 other citizens of Miami county, protesting against the passage of H. B. No. 35, known as the Kemp Game Bill.

Which was referred to the committee on Agriculture.

The following bills were read the second time:

S. B. No. 16: To amend the first section of an act entitled an act to provide for the proof, acknowledgment and recording of deeds and other instruments of writing, passed February 21, 1831, took effect June 1, 1831.

Referred to the committee on the Judiciary.

S. B. No. 35: To amend section 13 of an act entitled an act to amend sections 12 and 13 of an act to provide for locating, establishing and constructing ditches, drains and water-courses in townships, and to repeal a certain act therein named.

Referred to the committee on Ditches, Drains and Water-courses.

S. B. No. 39: To amend section 8 of an act entitled an act amendatory of and supplementary to an act entitled an act to regulate insurance companies doing an insurance business in the State of Ohio, passed April 27, 1872, passed April 24, 1873.

Referred to the committee on Insurance.

H. B. No. 156: Prescribing the mode for the appropriation of property by corporations.

Referred to the committee on Railroads and Telegraphs.

H. B. No. 163: To amend an act entitled an act to amend an act entitled an act supplementary to the act entitled an act to provide for the creation and regulation of incorporated companies in the State of Ohio, passed May 1, 1852.

Referred to the committee on Corporations other than Municipal.

H. B. No. 164: To repeal an act passed April 18, 1873, entitled an act supplementary to the act relating to cities of the first class having a population exceeding one hundred and fifty thousand inhabitants, passed May 4, A.D. 1869.

Referred to the committee on Railroads and Telegraphs.

H. B. No. 165: To create original fractional township eight (8), north, range twelve (12), east, in Wood county, Ohio, and the part of township three (3), United States Reserve, lying west of and between said township eight and Maumee river, into a separate civil township.

Referred to committee on New Counties and County Affairs.

H. B. No. 166: Authorizing the creation of an additional sub-school district in Madison township, Columbiana county.

Referred to the committee on Common Schools and School Lands.

H. B. No. 167: Supplementary to the act entitled an act prescribing the duties of county auditors, passed and took effect April 4, 1859, as amended January 11, 1873.

Referred to the committee on New Counties and County Affairs.

H. B. No. 168: Authorizing the commissioners of Hamilton county to build a new bridge and approaches on or below the present Union bridge site.

Referred to the committee on New Counties and County Affairs.

H. B. No. 169: To amend an act passed April 15, 1867, entitled an act to provide for the voluntary dissolution of corporations.

Referred to the committee on Corporations other than Municipal.

H. B. No. 170: Supplementary to an act entitled an act to amend section 1 of an act entitled an act to authorize the commissioners of Franklin county to build a bridge across the Scioto river, in said county, and to levy a tax for that purpose, passed April 17, 1872.

Referred to the committee on Roads and Highways.

On motion of Mr. White, the House took a recess.

HALF-PAST TWO O'CLOCK P.M

Mr. Eshelman submitted the following report:

The committee on Finance, to whom was referred H. B. No. 152, making partial appropriations for the year 1874, having had the same under consideration, report it back, with the following amendments, and recommend its passage:

Strike out of line 3 the words "and the asylum fund."

In line 24 strike out the word "four," and insert the word "two."

In line 26 strike out the word "eleven," and insert the word "six."

Insert between lines 26 and 27 the words "for deficiency in the care of State House and grounds, five hundred dollars."

In line 27 strike out the words "twenty-three," and insert the word "eleven."

Between lines 27 and 28 insert the words "deficiency in the wages of employes, twelve hundred dollars."

In line 28 strike out the word "eight," and insert the word "three."

Between lines 28 and 29 insert the words "for deficiency in heating apparatus, five hundred dollars."

Amend line 34 so as to read "one hundred and eighty-five dollars."

Insert as line 35 the words "deficiency in contingent expense fund, thirty-two dollars and seventy eight cents."

In line 40 strike out the words "one hundred," and insert the word "fifty."

Insert between lines 40 and 41 the words "deficiency for extra clerical services, fifty dollars."

In line 43 strike out the word "hundred," and insert the word "thousand."

After the word "agriculture," in line 51, insert the words "and contingent expenses of the office of the Board of Agriculture."

Between the words "for" and "geological," in line 75, insert the words "deficiency in."

Immediately after the head "asylum fund" insert the following:

"Section 2. That there be and hereby is appropriated out of any money in the treasury to the credit of the asylum fund, and not otherwise appropriated, the following sums, to wit."

In line 81 strike out the word "twenty-five," and insert the word "seventeen."

Insert between lines 81 and 82 the words "for deficiency in the current expense account, eight thousand dollars."

Between lines 88 and 89 insert "deficiency for support of one hundred patients to February 15, 1874, six thousand three hundred and eight dollars and fifty-seven cents."

Between lines 91 and 92 insert the words "deficiency in current expense account, five thousand five hundred dollars."

Between lines 93 and 94 insert the words "deficiency in the ordinary repairs account, one thousand dollars."

Between lines 96 and 97 insert the words "deficiency in current expense account, five thousand dollars."

Amend line 113 so as to read "for Reform School for Boys."

Between lines 115 and 116 insert the words "deficiency in salaries of officers and wages, one thousand dollars."

Insert as line 121 the words "deficiency for trustees of benevolent institutions, six hundred dollars."

E. B. ESHELMAN, J. M. POE,
E. M. GREEN, J. SCOTT.
R. HILL, GEO. H. FORD.

Said amendments were agreed to.

Mr. Eshelman offered the following amendment to the bill:

"For the Legislature: Per diem and mileage of the members of the General Assembly, and the per diem of their clerks, assistant clerks, sergeant-at-arms, assistant sergeants-at-arms, messengers, pages and other employes, under the laws and resolutions of the Senate and House, fifty thousand dollars.

"For the expenses of the standing and select committees of both branches of the General Assembly, one thousand dollars, to be paid on the order of the chairmen of the respective committees, and indorsed by the chairman of the committee on Claims of the respective Houses.

"For the Constitutional Convention: For the per diem of the members, officers and messengers of the Constitutional Convention, to be paid on the order of the presiding officer of the Convention, in accordance with the provisions of law providing for the compensation of said members, officers and messengers, existing when said members, officers and messengers entered on the discharge of their duties, fifty-two thousand dollars.

"For contingent expenses of the Constitutional Convention, to be allowed and paid by the Auditor and Treasurer of State on the presentation of proper vouchers, certified to be correct by the presiding officer of the Convention, fifteen hundred dollars.

"For the printing of the Constitutional Convention, to be paid as provided in section 1 of the act entitled an act making appropriations for the fiscal year 1873, and the first quarter of the fiscal year 1874, passed May 5, 1873, seven thousand five hundred dollars."

Mr. Scott moved to amend the amendment by striking out "fifty," in the appropriation for the General Assembly, and inserting "seventy."

Which was agreed to.

The motion to amend, as amended by the House, was then agreed to.

On motion of Mr. Scott, the rule was suspended, and the bill engrossed at the Clerk's desk, and read the third time.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 72, nays 9, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Guernsey, Baker of Fairfield, Baker of Perry, Barnett, Barrett, Baskin, Bay, Beach, Beatty, Blake, Boyce, Case, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Cole, Coler, Cooley, Conklin, Conkright, Eidson, Eshelman, Faxon, Ford, Geghan, Gowey, Green, Hardy, Harrison, Hatfield, Haven, Heitmann, Herron, Holloway, Holt, Howland, Huston, Inman, Kemp, Lewis, Loomis, Martin, Mesloh, Miller, Morris, Munson, Murlin, Myers of Ashland, Myers of Fayette, Neff, Newell, Newton, Norton, Oren, Parker, Pattison, Pearson, Poe,

Ramsay, Richards, Richmond, Robb, Sater, Scott, Sherrick, Thompson of Lucas, Tryon, Varley, Vincent, Walker, Williams and Speaker—72.

Those who voted in the negative were—

Messrs. Brunner, Coler, Hoagland, Light, McCoy, Moorehead, Sheppard, Thompson of Montgomery, and White—9.

So the bill passed. The title was agreed to.

Indefinite leave of absence was granted Mr. Grosvenor on account of sickness.

Mr. Boyce submitted the following report:

The committee on Revision have examined, and found correctly engrossed, House Bills Nos. 96, 105, 62, 57, 121, 108 and 44.

GEO. W. BOYCE, ORVIL BLAKE,
E. B. PARKER, JOHNSON SHERRICK.

On motion of Mr. McCoy, the third reading of H. B. No. 14, to amend section 2 of an act entitled an act to regulate the election of State and county officers, passed May 3, 1852, was postponed until Thursday next.

H. B. No. 80, to amend section 27 of an act relating to roads and highways, as amended by the act passed January 6, 1873, was read the third time.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 58, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Baker of Fairfield, Baker of Perry, Bay, Beach, Blake, Brunner, Case, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Cole, Coler, Cooley, Conklin, Conkright, Eidson, Eshelman, Ford, Gowey, Gordon, Green, Hardy, Harrison, Hatfield, Haven, Heitmann, Herron, Hoagland, Holloway, Holt, Huston, Inman, Kemp, Lewis, Light, Loomis, McCoy, Mesloh, Moorehead, Morris, Munson, Murlin, Myers of Ashland, Myers of Fayette, Neff, Nelson, Newell, Newton, Norton, Oren, Parker, Pattison, Pearson, Poe, Richards, Richmond, Robb, Sater, Scott, Sherrick, Thompson of Lucas, Thompson of Montgomery, Varley, Vincent, Walker, Watson and Williams—58.

So the bill passed. The title was agreed to.

H. B. No. 108, to prevent the use of ferrets to catch rabbits, was read the third time.

Mr. Huston moved that the bill be referred to a select committee of one, with instructions to amend as follows: In the 4th line, after the words "hiding places," insert "other than upon his or their own premises."

Which was agreed to, and Mr. Huston appointed said committee, who on leave reported the bill back, amended as instructed.

The question then being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 72, nays 6, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Armstrong of Guernsey, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Barrett, Baskin, Bay, Beach, Blake, Brunner, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Cole, Coler, Cooley, Conklin, Conkright, Eidson, Eshelman, Ford, Geghan, Gowey, Gordon, Green, Hardy, Harrison, Hatfield, Haven, Heitmann, Herron, Hoagland, Holloway, Howland, Huston, Inman, Kemp, Lewis, Light, Loomis, McCoy, Moorehead, Morris, Munson, Myers of Ashland, Myers of Fayette, Neff, Nelson, Newell, Newton, Norton, Oren, Parker, Pattison, Pearson, Poe, Ramsay, Richards, Richmond, Robb, Sater, Sheppard, Sherrick, Thompson of Lucas, Thompson of Montgomery, Varley, Vincent, Watson and Williams—72.

Those who voted in the negative were—

Messrs. Case, Martin, Murlin, Scott, Walker and White—6.

So the bill passed. The title was agreed to.

H. B. No. 121, to authorize the treasurer of Knox county to pay out of the treasury, upon the order of the county commissioners, certain funds derived from the stockholders of the Lake Erie Railroad Company, was read the third time.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 67, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Armstrong of Guernsey, Baker of Coshocton, Baker of Fairfield, Barnett, Barrett, Baskin, Beach, Beatty, Brunner, Case, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Cole, Coler, Cooley, Conklin, Eidson, Eshelman, Faxon, Ford, Gowey, Green, Hardy, Harrison, Haven, Herron, Hoagland, Holloway, Howland, Huston, Inman, Kemp, Lewis, Loomis, McCoy, Moorehead, Munson, Myers of Ashland, Myers of Fayette, Neff, Nelson, Newton, Norton, Oren, Parker, Pattison, Pearson, Poe, Ramsay, Richards, Richmond, Robb, Sater, Scott, Sheppard, Sherrick, Thompson of Lucas, Thompson of Montgomery, Varley, Vincent, Walker, Watson, White and Williams—67.

So the bill passed. The title was agreed to.

Mr. Thompson of Lucas moved that the committee of the Whole be discharged from the further consideration of H. J. R. No. 12.

Which was agreed to.

Mr. Ford offered the following amendment to the resolution: Strike out all after the word "secure," in line 9, and insert the following: "The passage of an act removing the restrictions as to amount of circulation now placed upon our national banks, and to establish free banking."

Mr. Gowey offered the following amendment to the amendment: Strike out all after the words "joint resolution," and insert the following:

"WHEREAS, The country is gradually but safely recovering from the effects of a disastrous money panic; therefore

"*Resolved by the General Assembly of the State of Ohio*, That our Senators be and are hereby instructed and our Representatives in Congress requested to oppose all measures tending in any way to disturb the present currency circulation of the country, and to simply let these matters alone, and allow the agricultural and commercial interests of the country to adjust themselves to the present circulating medium."

Mr. Coler moved that the further consideration of the resolution be postponed until Tuesday next, at half-past two o'clock P.M.

Mr. McCoy moved to amend the motion by postponing until to-morrow instead of Tuesday.

On motion of Mr. Morris, the House adjourned.

Attest: THOMAS COUGHLIN, *Clerk.*

WEDNESDAY, FEBRUARY 11, 1874—10 o'clock A.M.

The House met pursuant to adjournment.

Prayer by the Rev. I. F. Stidham.

The Journal was read and approved.

Mr. Pattison submitted the following report:

The joint committee on Enrollment have examined, and found correctly enrolled, the following bill:

H. B. No. 3: To amend section 70 of an act entitled an act to establish

a code of civil procedure, passed March 11, 1853, and amended April 3, 1862.

L. A. Brunner, J. M. Pattison,
E. B. Parker, J. C. Fisher,
B. Neff, M. C. Lawrence,
H. M. Chapman, S. Knox.
O. B. Chapman,

The Speaker then, in the presence of the House, signed said bill.

The Speaker presented a communication from the Attorney-General; which, on motion of Mr. McCoy, was laid on the thble, and ordered to be printed.

Also, a communication from the trustees of the Northern Lunatic Asylum.

Which was referred to the committee on Finance.

Mr. Baker of Perry presented the memorial of William Thomson, president, and John Pollock, secretary of a convention representing 8,000 miners, asking for a law creating a mine inspector.

Which was referred to the committee on Geology, Mines and Mining.

Mr. Baker of Perry presented the petition of J. B. Foster and 142 other citizens of Perry county, asking for the appointment of a mine inspector.

Which was referred to the committee on Geology, Mines and Mining.

Mr. Baker of Perry presented the petition of Peter Fairclough and 45 other citizens of Perry county, asking for the appointment of a mine inspector.

Which was referred to the committee on Geology, Mines and Mining.

Mr. Baker of Perry presented the petition of Robert Knox and 121 other citizens of Perry county, asking for the appointment of a mine inspector.

Which was referred to the committee on Geology, Mines and Mining.

Mr. Chapman of Meigs presented the petition of John F. Thomas and 86 other citizens of Syracuse, Meigs county, Ohio, praying for the passage of a law providing for the inspection of coal mines.

Which was referred to the committee on Geology, Mines and Mining.

Mr. Chapman of Meigs presented the petition of J. H. Jenkins and 46 other citizens of Syracuse, Meigs county, Ohio, praying for the passage of a law providing for the inspection of coal mines.

Which was referred to the committee on Geology, Mines and Mining.

Mr. Walker presented the petition of David Noggle and 54 other citizens of Darke county, asking for the passage of an act to authorize the commissioners of Darke county to levy three-tenths of a mill on the dollar to pay the indebtedness due on the fair ground in said county.

Which was referred to the committee on Agriculture.

Mr. Morris presented the memorial of T. N. Davy and others, against any interference with the Southern Railway.

Referred to the committee on Railroads and Telegraphs.

Mr. Heitmann presented the remonstrance of John Stimmel and 44 other citizens of Franklin county, remonstrating against the passage of H. B. No. 170.

Which was referred to the committee on Roads and Highways.

Mr. Conkright presented the petition of the grand jury of Union county, asking for the enactment of a law to protect gravel roads at certain seasons of the year.

Which was referred to the committee on Turnpikes.

Mr. Weible presented the remonstrance of Theor. Wrocklage and 308

other citizens of Van Wert county, protesting against the passage of H. B. No. 143, to authorize the county commissioners of said county to build a court-house.

Which was referred to the committee on Fees and Salaries.

Mr. Robb presented the remonstrance of S. Lybrand and 175 other citizens of Allen county, against the passage of H. B. No. 101, to authorize the commissioners of Allen county to levy a tax to purchase and improve fair grounds.

Which was referred to the committee on Agriculture.

Mr. Blake submitted the following report:

The committee on Revision have examined, and found correctly engrossed, House Bills Nos. 148 and 115.

ORVIL BLAKE, JOHNSON SHERRICK,
E. B. PARKER, WM. M. MCKINLEY.

Mr. Chapman of Meigs submitted the following report:

The joint committee on Enrollment have examined, and found correctly enrolled, the following bill:

H. B. No. 38: To authorize the trustees of Crane township, Wyandot county, to appropriate funds accruing from the sale of certain railroad bonds, now in the treasury of said township, for road purposes.

O. B. CHAPMAN, E. B. PARKER,
J. M. PATTISON, B. NEFF,
L. A. BRUNNER, H. M. CHAPMAN,
HENRY HARDY, J. C. FISHER.

The Speaker pro tem., in the presence of the House, signed said bill.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has concurred in the passage of H. B. No. 37, to authorize the commissioners of Franklin county, Ohio, to levy a tax to pay for the improvements of the grounds of the agricultural society of said county, and its debts due for lands purchased.

Attest: S. K. DONAVIN, *Clerk.*

The following bills were read the second time:

H. B. No. 171: To amend section 78 of an act entitled an act to amend an act entitled an act for the assessment and taxation of property in this State, and for levying taxes thereon according to its true value in money, passed April 5, 1859, as amended April 8, 1865.

Referred to the committee on the Judiciary.

H. B. No. 172: To attach the north half of section 28, town 7, south, range 6, east, to joint sub-district No. 7, Franklin township, Shelby county, Ohio.

Referred to the committee on Common Schools and School Lands.

S. B. No. 24, for the relief of medical colleges, was read the third time.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 81, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Armstrong of Guernsey, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Barrett, Baskin, Bay, Beatty, Blake, Boyce, Brooke, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Cole, Coler, Cooley, Conklin, Conkright, Eidson, Eshelman, Faxon, Geghan, Gowey, Green, Hardy, Harrison, Hatfield, Haven, Heitmann, Hill, Hoagland, Holt, Howland, Huston, Inman, Kemp,

Lewis, Light, Loomis, Marx, Martin, McCloud, McCoy, McKinley, McLain, Mesloh, Miller, Moorehead, Morris, Murlin, Myers of Ashland, Myers of Fayette, Newell, Newton, Norton, Oren, Parker, Pattison, Pearson, Poe, Ramsay, Ray, Richards, Robb, Sater, Scott, Sheppard, Sherrick, Thompson of Lucas, Tryon, Varley, Vincent, Walker, Watson, Weible, West and Wiliams—81.

So the bill passed. The title was agreed to.

On motion of Mr. Scott, H. B. No. 44 was informally passed.

On motion of Mr. Coler, the third reading of H. B. No. 57, for the protection of certain birds and game, and to repeal a certain act therein named, was passed until Wednesday next.

H. B. No. 66, to authorize the board of education of Huntington township, Brown county, to levy a special tax to pay an existing indebtedness of school building fund, was read the third time.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 82, nays 4, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Armstrong of Guernsey, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Baskin, Bay, Beatty, Blake, Brooke, Brunner, Case, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Cole, Cooley, Conklin, Conkright, Eidson, Eshelman, Faxon, Geghan, Gowey, Gordon, Green, Hardy, Harrison, Hatfield, Haven, Heitmann, Herron, Hill, Holt, Howland, Huston, Inman, Kemp, Lewis, Light, Loomis, Marx, Martin, McCloud, McCoy, McKinley, McLain, Mesloh, Miller, Moorehead, Morris, Munson, Murlin, Myers of Ashland, Myers of Fayette, Neff, Newell, Newton, Norton, Parker, Pearson, Ramsay, Ray, Richards, Robb, Sater, Scott, Sherrick, Thompson of Lucas, Thompson of Montgomery, Tryon, Varley, Vincent, Walker, Watson, Weible, West, White and Williams—82.

Messrs. Hoagland, Oren, Pattison and Sheppard voted in the negative.

So the bill passed. The title was agreed to.

H. B. No. 96, to amend section 1 of an act entitled an act to amend section 1 of an act entitled an act to amend an act to prevent the killing of wild deer, passed and took effect February 19, 1866, was read the third time.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 80, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Armstrong of Guernsey, Baker of Coshocton, Baker of Fairfield, Barnett, Barrett, Baskin, Bay, Blake, Brooke, Brunner, Case, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Cole, Coler, Cooley, Conklin, Conkright, Eidson, Eshelman, Faxon, Geghan, Gowey, Gordon, Grosvenor, Hardy, Harrison, Haven, Heitmann, Herron, Hill, Hoagland, Holloway, Howland, Huston, Inman, Kemp, Lewis, Light, Loomis, Marx, Martin, McCloud, McCoy, McKinley, McLain, Mesloh, Miller, Morris, Munson, Murlin, Myers of Ashland, Myers of Fayette, Neff, Newell, Newton, Oren, Parker, Pattison, Pearson, Poe, Ramsay, Ray, Richards, Sater, Scott, Sheppard, Sherrick, Thompson of Lucas, Tryon, Varley, Vincent, Walker, Watson, West, White and Williams—80.

So the bill passed. The title was agreed to.

H. B. No. 105, to repeal an act entitled an act for the encouragement of the Coshocton union school, passed March 19, 1851, was read the third time.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 74, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Armstrong of Guernsey, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Boyce, Brooke, Brunner, Case, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Cole, Coler, Cooley, Conkright, Eidson, Geghan, Gowey, Gordon, Harrison, Hatfield, Haven, Heitmann, Herron, Hill, Hoagland, Holloway, Holt, Huston, Inman, Kemp, Lewis, Light, Loomis, Martin, McCloud, McCoy, McKinley, McLain, Mesloh, Miller, Moorehead, Munson, Murlin, Myers of Fayette, Neff, Newell, Newton, Norton, Oren, Parker, Pattison, Poe, Ramsay, Richards, Robb, Sater, Scott, Sheppard, Sherrick, Thompson of Lucas, Thompson of Montgomery, Tryon, Varley, Vincent, Walker, Watson, Weible, West, White and Williams.—74

So the bill passed. The title was agreed to.

H. B. No. 114, providing for printing and distributing the journals of the General Assembly, and the laws and public documents, and repeal certain acts therein named, was read the third time.

On motion of Mr. Scott, the further consideration of said bill was postponed until to-morrow, at half-past two o'clock P.M.

On motion of Mr. Richards, the House took a recess.

HALF-PAST TWO O'CLOCK P.M.

H. B. No. 124, to amend an act entitled an act to amend section sixty-two of an act entitled an act to establish a code of criminal procedure for the State of Ohio, passed May 6, 1869, passed January 29, 1873, was read the third time.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 77, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Armstrong of Guernsey, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barrett, Baskin, Bay, Beatty, Bell, Blake, Boyce, Brooke, Case, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Coler, Cooley, Conklin, Eidson, Faxon, Geghan, Gowey, Green, Hardy, Harrison, Hatfield, Haven, Heitmann, Herron, Hodge, Holloway, Holt, Howland, Huston, Inman, Johnson, Kemp, Lewis, Light, Loomis, Martin, McCloud, McCoy, McKinley, McLain, Mesloh, Miller, Moorehead, Morris, Munson, Murlin, Myers of Ashland, Myers of Fayette, Newton, Norton, Oren, Parker, Ray, Richards, Robb, Sater, Scott, Sheppard, Sherrick, Thompson of Lucas, Thompson of Montgomery, Tryon, Varley, Vincent, Walker, Watson, Weible, West and Williams.—77.

So the bill passed. The title was agreed to.

On motion of Mr. Hodge, the House took up H. B. No. 44, supplementary to an act passed April 29, 1873, entitled an act to create a board of fire commissioners in cities having a population exceeding ninety thousand inhabitants, which had been informally passed this forenoon.

Said bill was read the third time.

Mr. Hodge moved to refer the bill to a select committee of one, with instructions to amend as follows:

Strike out of section 1 the words: "No person holding an elective office in such city, or who has held such office for the year next preceding, shall be appointed to the office of commissioner."

Strike out of section 7, line thirteen, after the word "unsafe," the words "from fire."

Which was agreed to, and Mr. Hodge appointed said committee, who, on leave, reported the bill back, amended as instructed.

The question then being, "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 83, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Armstrong of Guernsey, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Barrett, Bay, Beatty, Bell, Blake, Boyce, Brooke, Brunner, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Cole, Coler, Cooley, Conklin, Conkright, Eidson, Faxon, Geghan, Gowey, Gordon, Green, Hardy, Harrison, Hatfield, Haven, Heitmann, Herron, Hill, Hoagland, Hodge, Holloway, Holt, Howland, Huston, Johnson, Kemp, Lewis, Loomis, Mack, Marx, Martin, McCloud, McCoy, McKinley, McLain, Mesloh, Miller, Moorehead, Murlin, Myers of Ashland, Myers of Fayette, Neff, Nelson, Newell, Oren, Parker, Poe, Ramsay, Ray, Richards, Robb, Sater, Scott, Sheppard, Sherrick Thompson of Lucas, Thompson of Montgomery, Tryon, Varley, Vincent, Walker, Weible, West, White and Williams.—83.

So the bill passed. The title was agreed to.

H. B. No. 138, to authorize the commissioners of Lake county to build a county infirmary, and to issue bonds therefor, was read the third time.

Mr. Tryon moved to refer the bill to a select of one, with instructions to amend as follows:

At the end of section 2 add the words: "and accrued interest; and no expense shall be incurred for brokerage or commission in the sale of said bonds."

Which was agreed to, and Mr. Tryon appointed said committee, who, on leave, reported the bill back, amended as instructed.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 76, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Armstrong of Guernsey, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barrett, Baskin, Bay, Bell, Blake, Brooke, Brunner, Case, Carnahan, Cole, Cooler, Conklin, Conkright, Eidson, Eshelman, Ford, Geghan, Gowey, Gordon, Green, Hardy, Harrison, Hatfield, Haven, Heitmann, Herron, Hill, Hoagland, Hodge, Holloway, Holt, Howland, Huston, Inman, Kemp, Lewis, Light, Mack, Marx, Martin, McCloud, McCoy, McKliney, McLain, Meshloh, Miller, Morris, Murlin, Myers of Ashland, Myers of Fayette, Neff, Oren, Parker, Pattison, Pearson, Ramsay, Ray, Richards, Robb, Sater, Scott, Sheppard, Thompson of Lucas, Thompson of Montgomery, Tyron, Varley, Vincent, Weible, West and Williams—76.

So the bill passed. The title was agreed to.

Mr. Pattison submitted the following report:

The joint committee on Enrollment have examined, and found correctly enrolled, the following bill:

H. B. No. 37: To authorize the commissioners of Franklin county, Ohio, to levy a tax to pay for the improvments of the grounds of the agricultural society of said county, and its debts due for land purchased.

J. M. PATTISON, H. M. CHAPMAN,
L. A. BRUNNER, J. C. FISHER,
E. B. PARKER, M. C. LAWRENCE,
HENRY HARDY, A. M. BURNS,
B. NEFF, S. KNOX.

The Speaker then, in the presence of the House, signed said bill.

The following bills were introduced, and read the first time:

H. B. No. 179—By Mr. Archer: To amend sections 57, 60 and 61 of an act entitled an act of the jurisdiction and procedure before justices of the peace, and of the duties of constables in civil courts.

H. B. No. 180—By Mr. McCoy: To amend section 5 of an act entitled an act to enable associations of persons to raise funds to be loaned among their members for building homesteads, and for other purposes, to become a body corporate, passed May 5, 1868.

H. B. No. 181—By Mr. Conklin: To attach Pickaway county to the second sub-division of the fifth judicial district.

H. B. No. 182—By Mr. Eshelman: Supplemental to an act entitled an act for the maintenance and support of illegitimate children, passed April 3, 1873.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate insists on its amendment to H. J. R. No. 10, relative to the printing of the Secretary of State's report, and requests a committee of conference thereon.

The President has appointed Messrs. Newman, Reid and Rukenbrod such committee on part of the Senate.

Attest: S. K. DONAVIN, *Clerk.*

Mr. Brunner moved that the House accede to the request of the Senate.

Which was agreed to.

Messrs. Brunner, Scott and Huston were appointed such committee on the part of the House.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has concurred in the passage of H. B. No. 60, to authorize the commissioners of Ross county to transfer any sum not to exceed twenty-five thousand dollars from the bridge fund or surplus funds of said county to the infirmary building fund, and to authorize said commissioners to issue bonds to the amount of thirty thousand dollars to borrow money for the purpose of completing the county infirmary.

Attest: S. K. DONAVIN, *Clerk.*

Mr. Case submitted the following report:

The committee on Common Schools and School Lands, to whom was referred S. B. No. 22, to amend the first and second sections of an act entitled an act to authorize the board of education of the incorporated village of Wapakoneta, in the county of Auglaize, to borrow money and issue bonds to build a school-house, or additions to the school-house in said town, having had the same under consideration, report it back, with the recommendation that it be passed.

O. CASE, E. MARTIN,
J. A. MOOREHEAD, H. G. TRYON,
G. W. LIGHT, A. W. MUNSON.
JOHNSON SHERRICK,

Said bill was ordered to be engrossed, and read the third time to-morrow.

Mr. Case submitted the following report:

The committee on Common Schools and School Lands, to whom was referred the petition of the board of education and others of Salt Creek township, Holmes county, praying for the passage of a special act au-

thorizing said board to borrow money and issue bonds to build a school-house in the village of Benton, having had the same under consideration, report it back, and ask to be discharged from its further consideration.

O. CASE, E. MARTIN,
JOHNSON SHERRICK, A. W. MUNSON,
J. A. MOOREHEAD, G. W. LIGHT.
H. G. TRYON,

The report was agreed to, and the committee discharged.

Mr. Eshelman submitted the following report:

The committee on Finance, to whom was referred S. B. No. 23, for the relief of the county treasury of Richland county, having had the same under consideration, report it back, with the following amendments, and recommend its passage:

Strike out of line seventeen, section 1, the word "said," and insert the word "the." Add to the end of said section the words "arising from the sale of said bonds."

E. B. ESHELMAN, J. M. POE,
E. M. GREEN, J. SCOTT,
R. HILL, GEO. H. FORD.

Said amendments were agreed to, and the bill ordered to be engrossed, and read the third time to-morrow.

Mr. McCoy submitted the following report:

The committee on Agriculture, to whom was referred H. B. No. 132, to authorize the commissioners of Darke county to levy a tax for agricultural purposes, having had the same under consideration, report it back, with the following amendments, and recommend its passage:

Section 1, line 3, after the word "tax," insert the following words: "not to exceed three-tenths of one mill on the dollar." Same line, strike out the words "taxable property," and insert "grand duplicate." Line 4, strike out all of the section after the word "purposes."

MILT. MCCOY, T. E. SATER,
T. M. BAY, J. F. THOMPSON,
THOS. H. BASKIN, H. M. CHAPMAN.

The amendments were agreed to, and said bill was ordered to be engrossed, and read the third time to morrow.

Mr. Kemp submitted the following report:

The committee on Public Buildings, to whom was referred H. R. No. 67, authorizing the Sergeant-at-Arms to procure cane seated chairs, having had the same under consideration, report it back, with the following amendment, and recommend its passage:

Strike out "four dozen," and insert "three dozen, including those already bought."

JACOB KEMP, JOHN M. COOLEY,
R. RAMSAY, J. M. HAAG.
JOSEPH CARNAHAN,

Mr. Kemp moved that the resolution be amended so as to include four dozen, including those already bought.

Which was agreed to.

The question then being on the adoption of the resolution, the yeas and nays were ordered, and resulted—yeas 60, nays 21, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Armstrong of Guernsey, Baker

of Coshocton, Barrett, Beatty, Bell, Boyce, Brooke, Case, Chapman of Cuyahoga, Chapman of Meigs, Cooley, Eidson, Eshelman, Faxon, Ford, Geghan, Gordon, Green, Grosvenor, Harrison, Herron, Hodge, Holloway, Holt, Howland, Huston, Inman, Johnson, Kemp, Lewis, Mack, Marx, McCoy, McLain, Miller, Munson, Murlin, Myers of Ashland, Myers of Fayette, Neff, Newell, Newton, Parker, Pattison, Pearson, Ramsay, Ray, Robb, Sater, Scott, Thompson of Lucas, Thompson of Montgomery, Tryon, Varley, Vincent, Walker, West and Speaker—60.

Those who voted in the negative were—

Messrs. Baker of Fairfield, Baker of Perry, Baskin, Bay, Blake, Cole, Coler, Conkright, Hatfield, Haven, Heitmann, Hill, Hoagland, Loomis, McCloud, McKinley, Moorehead, Sheppard, Sherrick, Weible and White —21.

So the resolution was adopted.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has passed the following bill, in which the concurrence of the House of Representatives is requested:

S. B. No. 8: To amend section 543 of the act to provide for the organization and government of municipal corporations, passed May 7, 1869, and as amended May 2, 1871.

Attest: S. K. DONAVIN, *Clerk.*

Said bill was read the first time.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has ordered that H. B. No. 108, to prevent the use of ferrets to catch rabbits, be returned to the House of Representatives to be properly engrossed.

Attest: S. K. DONAVIN, *Clerk.*

Mr. Scott moved that S. B. No. 8 be returned to the Senate with the request that it be properly engrossed.

Which was agreed to.

Mr. Barnett submitted the following report:

The committee on Roads and Highways, to whom was referred H. B. No. 158, to establish and protect foot or sidewalks and shade and ornamental trees along certain public roads and highways, having had the same under consideration, report it back, with the following amendments, and recommend its passage:

Strike out the word "shall," in line 3 of section 1, and insert the word "may."

In section 2 strike out all in line 1 to the words "it shall," and insert the words "on all roads of the width of sixty feet and over, having foot or sidewalks, or that have shade or ornamental trees planted, as is provided for in the preceding section."

In line 2 of section 2 strike out the word "over."

ROBERT BARNETT, W. H. CONKRIGHT,
B. NEFF, E. P. NEWELL,
LEBBEUS COLE, J. A. MOOREHEAD.

The amendments were agreed to, and said bill was ordered to be engrossed, and read the third time to-morrow.

Mr. Eshelman moved to reconsider the vote by which S. B. No. 23 was engrossed for third reading to-morrow.

Which was agreed to.

Mr. Barnett then offered the following amendments to said bill:

Add to section 2 the words "provided, that if any part of the funds lost shall be recovered from the absconding treasurer or his sureties, the amount so recovered shall be deducted from the levies herein authorized to be made."

Add to section 3 the words "nothing in this act shall be so construed as to relieve said treasurer or his sureties from the obligation of reimbursing the treasury of said county to the full extent of the money fraudulently taken therefrom."

The amendments were agreed to, and said bill was ordered to be engrossed, and read the third time to-morrow.

Mr. Munson submitted the following report:

The committee on Common Schools and School Lands, to whom was referred the petition of H. S. Sehr and 64 others, asking an amendment to the school law so as to dispense with the county board of school examiners, and substitute county superintendents, who shall devote their entire time to school interests, having had the same under consideration, report it back, and ask to be discharged from its further consideration.

A. W. MUNSON, E. MARTIN,
JOHNSON SHERRICK, O. CASE,
J. A. MOOREHEAD, G. W. LIGHT.
H. G. TRYON,

The report was agreed to, and the committee discharged.

Mr. Tryon submitted the following report:

The committee on Common Schools and School Lands, to whom was referred H. B. No. 172, to attach the north half of section 28, towhship 7, south, range 6, east, to joint sub-district No. 7, Franklin township, Shelby county, Ohio, having had the same under consideration, report it back, with the recommendation that it be passed.

H. G. TRYON, G. W. LIGHT,
O. CASE, JOHNSON SHERRICK,
J. A. MOOREHEAD, A. W. MUNSON.

Said bill was ordered to be engrossed, and read the third time to-morrow.

Mr. Munson submitted the following report:

The select committee of one to whom was referred H. B. No. 21, with instructions to amend, reports the same back, amended as instructed.

A. W. MUNSON.

Mr. Holloway moved to amend the bill as follows:

In section 2, line two, strike out after the word "away," the words "except upon the written prescription of a physician."

In section 4, line one, after the word "that," strike out the word "no," and insert instead the word "any." In the same line, after the word "person," insert the word "who." After the word "chloroform," in line five, strike out all between that and line eight.

Section 5, in line five, between the words "such persons," insert the words "person or"; and after the word "persons," strike out the balance of line five, and all of line six up to and including the word "vouch," and insert "as are either personally known to said apothecary, druggist or the person, to be of good character and of sound mind, or upon the

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written prescription of a physician known to said druggist or other person selling said articles."

"Section 8. That no apothecary, druggist or other person shall sell or give away, except upon the written prescription of a physician, any of the drugs mentioned in this act, when, for the better protection of society, any parent, husband, wife, guardian or ward, having just reason to apprehend danger of the destruction of the lives of persons aforesaid, shall cause the prosecuting attorney to serve a written notice upon the druggist or apothecary of whom such poisons could be obtained, notifying said apothecary, druggist or other person not to sell to persons designated in said notice, under the penalties of this act; said restrictions to remain in force against such person for at least two years after the service of said notice."

Mr. McCoy moved that the vote ordering said bill to be engrossed for third reading be reconsidered.

Which was agreed to.

Mr. Neff then moved that the bill and amendments be laid on the table and ordered printed.

Which was agreed to.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has concurred in House amendment to S. B. No. 11, to authorize the commissioners of Washington county to establish and construct a public road in Belpre township of said county.

Attest: S. K. DONAVIN, *Clerk.*

Mr. Newton, on leave, presented the petition of S. O. Stitson and 56 other citizens of Mahoning county, for the removal of the county seat of Mahoning from the village of Canfield to the city of Youngstown.

Which was referred to the committee on New Counties and County Affairs.

Mr. Haag moved that H. J. R. No. 20 be taken from the table.

Which was agreed to, and, on motion of Mr. Haag, referred to the committee on Public Works.

Mr. Loomis, on leave, presented the petition of B. T. Bucy, Richard Butler and 138 other citizens of Franklin county, praying for the abolition of the contract system in the Ohio Penitentiary, and asking the State to manage its own prison labor.

Which was referred to the committee on Penitentiary.

Mr. Thompson of Lucas moved that H. J. R. No. 12 be taken from the table.

Which was disagreed to.

Mr. Lewis offered for adoption the following joint resolution:

H. J. R. No. 23: Authorizing contracts for certain work at the Central Ohio Lunatic Asylum.

WHEREAS, The Trustees of the Central Ohio Lunatic Asylum represent that the progress of the work in the construction of said asylum will require that, within the current year, contracts should be made for the construction of cisterns and the connections thereof, and for the arched way and excavations and grading about the building; and also for a switch connecting the asylum with one or both of the railroads in the vicinity; therefore

Resolved by the General Assembly of the State of Ohio, That the Trustees of the Central Ohio Lunatic Asylum be and they are hereby authorized to

contract, according to law, for all needful excavations and grading about the building, and for cisterns and piping connected therewith, and also for the arched way connecting the rear central wing with the north and south wings of the main building; the whole not to exceed in cost the sum of fifteen thousand dollars.

Resolved further, That said trustees be and they are hereby authorized to contract, according to law, for the grading, bridging, ties, rails and other materials, and for needful labor to build and complete, ready for use, a switch connecting said asylum with one or both of the railroads which pass through the lands of said asylum, or the State quarry lands, at a cost not exceeding ten thousand dollars.

On motion of Mr. Scott, said resolution was referred to the committee on Insane Asylums.

Mr. Grosvenor, on leave, presented the remonstrance of N. H. Van Vorhes and 75 other citizens of Athens county, against the passage of H. B. No. 35, to make it a penal offense to kill game on the land of another.

Which was referred to the committee on Agriculture.

Mr. Grosvenor, on leave, presented the petition of Thos. Shepperd and 75 other citizens of Athens county, praying for the passage of H. B. No. 145, to regulate mines and mining.

Which was referred to the committee on Geology, Mines and Mining.

Mr. Grosvenor, on leave, presented the petition of B. Staats, a citizen of Washington county, asking that the Legislature pass a law to protect the people from trespassers, and teach a little honesty to millers and merchants, and to protect the people from light weights, short measures and unwholesome provisions.

Which was referred to the committee on Agriculture.

Mr. Miller, on leave, presented the remonstrance of A. Seidle and 1,000 other citizens of Hamilton county, against the passage of the Kemp Game Bill and H. B. No. 45.

Which was referred to the committee on Agriculture.

Mr. Archer, on leave, presented the remonstrance of Miles Greenwood and 800 other citizens of Hamilton county, against the passage of the Kemp Game Bill and H. B. No. 45.

Which was referred to the committee on Agriculture.

Mr. Geghan presented the remonstrance of Geo. H. Pendleton and 500 other citizens of Hamilton county, against the passage of the Kemp Game Bill and H B. No. 45.

Which was referred to the committee on Agriculture.

Mr. Brunner offered for adoption the following resolution:

H. R. No. 69: *Resolved*, That Samuel Shaffer be and is hereby appointed official reporter, whose duty it shall be to prepare concise reports of the proceedings of the House, copies of which reports shall be furnished daily by him to the publishers, reporters or correspondents of such daily papers of the State of Ohio as may desire the use of the same for publication, free of charge.

Resolved, That the reporter so employed shall be paid at the rate of five dollars per day, from the beginning of the session of this General Assembly, out of the general revenue funds.

Mr. Miller moved that the words "from the beginning of the session" be stricken out of the resolution.

On which the yeas and nays were ordered, and resulted—yeas 38, nays 40, as follows:

Those who voted in the affirmative were—

Messrs. Baker of Fairfield, Barnett, Baskin, Beatty, Blake, Boyce, Case, Carnahan, Cole, Coler, Conklin, Conkright, Green, Harrison, Haven, Hill, Hoagland, Huston, Inman, Kemp, Mesloh, Miller, Morris, Myers of Fayette, Nelson, Parker, Pattison, Pearson, Sater, Scott, Sheppard, Sherrick, Thompson of Montgomery, Varley, Vincent, Watson, Weible and West —38.

Those who voted in the negative were—

Messrs. Archer, Armstrong of Belmont, Armstrong of Guernsey, Baker of Coshocton, Barrett, Bay, Bell, Brunner, Chapman of Cuyahoga, Chapman of Meigs, Cooley, Eidson, Eshelman, Faxon, Ford, Geghan, Gowey, Gordon, Grosvenor, Hardy, Hatfield, Heitmann, Herron, Hodge, Holt, Howland, Johnson, Mack, Marx, McCloud, McCoy, McKinley, Neff, Newton, Oren, Ramsay, Ray, Richards, Thompson of Lucas, and Walker—40.

So the motion was disagreed to.

Mr. Heitmann moved to suspend rule No. 64, in regard to giving three days' notice.

Which was disagreed to.

Mr. Chapman of Cuyahoga moved to strike out the last clause of the resolution, in regard to pay of reporter.

Which was agreed to.

Mr. Scott moved to strike out the words "official reporter," and insert the words "assistant clerk."

Mr. Baker of Fairfield moved that the House do now adjourn.

On which motion the yeas and nays were demanded, ordered, and resulted—yeas 22, nays 57, as follows:

Those who voted in the affirmative were—

Messrs. Baker of Coshocton, Baker of Fairfield, Barnett, Baskin, Brooke, Case, Carnahan, Coler, Conklin, Conkright, Harrison, Hatfield, Kemp, McCloud, Morris, Myers of Ashland, Myers of Fayette, Sheppard, Sherrick, Varley, Weible and White—22.

Those who voted in the negative were—

Messrs. Archer, Armstrong of Belmont, Armstrong of Guernsey, Barrett, Bay, Bell, Blake, Brunner, Chapman of Cuyahoga, Chapman of Meigs, Cole, Cooley, Eidson, Eshelman, Faxon, Ford, Geghan, Gowey, Gordon, Grosvenor, Hardy, Haven, Heitmann, Herron, Hill, Holloway, Holt, Howland, Huston, Inman, Johnson, Lewis, Loomis, Mack, Martin, McCoy, McLain, Miller, Neff, Nelson, Newton, Oren, Parker, Pattison, Pearson, Ramsay, Ray, Robb, Sater, Scott, Thompson of Lucas, Thompson of Montgomery, Tryon, Vincent, Walker, Watson and West—57.

So the House refused to adjourn.

Mr. Light moved to refer the resolution to the committee on Fees and Salaries.

Mr. Baskin gave notice of a desire to discuss said resolution; so, under the rule, it was laid on the table.

Mr. Scott moved that the rule be suspended, and that the resolution be acted upon now.

On which motion the yeas and nays were demanded, ordered, and resulted—yeas 61, nays 22, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Armstrong of Guernsey, Barrett, Bay, Beatty, Bell, Blake, Boyce, Brunner, Chapman, of Cuyahoga, Chapman of Meigs, Cole, Cooley, Eidson, Eshelman, Faxon, Ford, Geghan, Gowey, Gordon, Grosvenor, Hardy, Harrison, Haven, Herron,

Hodge, Holloway, Holt, Huston, Inman, Johnson, Lewis, Loomis, Mack, Marx, Martin, McCoud, McCoy, McKinley, McLain, Miller, Munson, Myers of Ashland, Myers of Fayette, Neff, Nelson, Newton, Norton, Oren, Pattison, Pearson, Ramsay, Ray, Robb, Sater, Scott, Thompson of Lucas, Thompson of Montgomery, Walker and West—61.

Those who voted in the negative were—

Messrs. Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Baskin, Brooke, Case, Carnahan, Coler, Conklin, Duncan, Hatfield, Hoagland, Light, Moorehead, Morris, Parker, Sheppard, Sherrick, Vincent and Weible—22.

So the motion was agreed to.

On motion of Mr. Baskin, the House adjourned.

Attest: THOMAS COUGHLIN, *Clerk.*

THURSDAY, FEBRUARY 12, 1874—10 o'clock A.M.

The House met pursuant to adjournment.

Prayer by the Rev. I. F. Stidham.

The Journal was read and approved.

Indefinite leave of absence was asked and obtained for Mr. Duncan.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has indefinitely postponed H. B. No. 11, for the relief of securities.

Attest: S. K. DONAVIN, *Clerk.*

MESSAGE FROM THE SENATE.

Mr. Speaker:

The following bills have been introduced in the Senate, and read the first time:

S. B. No. 74—By Mr. Thompson: Prescribing the rate of State taxes, and to repeal an act therein named.

S. B. No. 75—By Mr. Butterworth: To authorize turnpike companies to transfer their roads, or any part thereof, without consideration, when the legal tolls collected on said turnpikes are inadequate to keep the same in repair.

S. B. No. 76—By Mr. Potter: To amend section 3 of an act to incorporate humane societies, and supplementary to the act to prevent cruelty to animals, passed April 15, 1873. (O. L., Vol. 70, p. 131.)

Attest: S. K. DONAVIN, *Clerk.*

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has adopted the following joint resolution, in which the concurrence of the House of Representatives is requested:

S. J. R. No. 16—By Mr. Waddle: Providing for the admission of David Elder into the Southern Lunatic Asylum.

Attest: S. K. DONAVIN, *Clerk.*

Mr. Sherrick moved that the resolution be referred to the committee on Insane Asylums.

Which was disagreed to.

The question being on the adoption of said resolution, the yeas and nays were ordered, and resulted—yeas 80, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Armstrong of Guernsey, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Baskin, Bay, Beatty, Bell, Blake, Boyce, Brooke, Case, Chapman of Cuyahoga, Chapman of Meigs, Cole, Coler, Cooley, Conklin, Conkright, Eidson, Faxon, Ford, Gowey, Gordon, Green, Grosvenor, Haag, Hardy, Harrison, Haven, Heitmann, Herron, Hill, Hoagland, Hodge, Huston, Inman, Johnson, Kemp, Lewis, Loomis, Mack, Mann, Marx, Martin, McCloud, McCoy, McKinley, McLain, Mesloh, Miller, Moorehead, Morris, Munson, Murlin, Myers of Ashland, Myers of Fayette, Neff, Newell, Oren, Parker, Pattison, Pearson, Ramsay, Ray, Richards, Robb, Scott, Sheppard, Sherrick, Thompson of Lucas, Thompson of Montgomery, Van Meter, Varley, Watson, Weible and Williams—80.

So the resolution was adopted.

Mr. Heitmann presented the petition of J. P. Bruck, A. G. Hibbs and Francis Riley, commissioners of Franklin county, for the passage of H. B. No. 170, to authorize the commissioners of Franklin county to locate the bridge across the Scioto river not more than one-half mile north or south of the Moler road, and to levy an additional tax for building said bridge.

Which was referred to the committee on Roads and Highways.

Mr. Heitmann presented the remonstrance of Samuel Mutchler and 44 other citizens of Franklin county, against the passage of H. B. No. 170.

Which was referred to the committee on Roads and Highways.

Mr. Heitmann presented the remonstrance of N. Merion and 65 other citizens of Franklin county, against the passage of H. B. No. 170.

Which was referred to the committee on Roads and Highways.

Mr. Johnson presented the petition of Dr. J. B. Bing and eight other citizens of Scioto county, asking to be protected from malicious prosecutions, etc.

Which was referred to the committee on Medical Colleges and Societies.

Mr. Johnson presented the petition of T. W. Kinney and 178 other citizens of Scioto county, remonstrating against the passage of H. B. No. 35, to protect land-holders.

Which was referred to the committee on Agriculture.

Mr. Gordon presented the memorial and petition of S. M. Ferris and 40 other citizens of Hamilton county, for the passage of an act authorizing the commissioners of Hamilton county to build a new bridge, with suitable approaches, on or near the site of the present Union bridge.

Which was referred to the committee on New Counties and County Affairs.

Mr. Grosvenor presented the memorial and report of the acting committee of the board of trustees of the Ohio University, at Athens.

Which was laid on the table and ordered to be printed.

Mr. Morris submitted the following report:

The committee on Revision have examined, and found correctly engrossed, House Bills Nos. 172, 132, 85 and 158.

JON. MORRIS,	C. H. GROSVENOR,
WM. M. MCKINLEY,	GEO. W. BOYCE,
ORVIL BLAKE,	JOHNSON SHERRICK.

Mr. Weible presented the remonstrance of Davis Johnson and 237

other citizens of Van Wert county, against the passage of H. B. No. 143, authorizing the commissioners of said county to build a court house.

Which was referred to the committee on Fees and Salaries.

Mr. Miller presented the remonstrance of W. L. O'Brien and 1000 other citizens of Hamilton county, against the passage of the Kemp Game Bill and H. B. No. 45.

Which was referred to the committee on Agriculture.

The following bills were read the second time:

H. B. No. 173: To repeal certain sections of an act entitled an act for the regulation and maintenance of common schools, passed May 1, 1873.

Referred to the committee on Common Schools and School Lands.

H. B. No. 174: To authorize the county commissioners of Brown county to construct a free turnpike road from Sardinia, in said county, to the county line between Brown and Clermont counties.

Referred to the committee on Turnpikes.

H. B. No. 175: Making appropriations for the fiscal year 1874, and the first quarter of the fiscal year 1875.

Referred to the committee on Finance.

H. B. No. 176: To authorize the correction of clerical errors, omissions or defects appearing to exist in descriptions of real estate, in orders, decrees or findings of probate courts.

Referred to the committee on the Judiciary.

H. B. No. 177: To pay original surveyed township number 8, south, range number 4, east, in Shelby county, Ohio, for school lands overflowed by the Laramie reservoir.

Referred to the committee on Public Works.

H. B. No. 178: To transfer Shelby county from the first sub-division of the third judicial district to the second sub-division of said district.

Referred to the committee on Judiciary.

H. B. No. 14, to amend section 2 of an act entitled an act to regulate the election of state and county officers, passed May 3, 1852, was read the third time

On motion of Mr. Hodge, said bill was laid on the table, and ordered to be printed.

On motion of Mr. Case, the third reading of H. B. No. 62 was informally passed.

H. B. No. 148, to create a joint sub-district for school purposes in the townships of Gratis and Lanier, Preble county, Ohio, and German and Jackson, Montgomery county, was read the third time.

Mr. Coler moved that the bill be referred to a select committee of one, with instructions to amend as follows:

In section 1, line two, after the word "Ohio," strike out all to and including the word "section," in line three, and insert the following: "lying south of Big Twin Creek." In line seven, after the word "Ohio," insert the following: "lying south of Big Twin Creek." In line eleven, after the word "quarter," insert the following: "and the north half of the south-west quarter." In line twelve, after the word "township," strike out all to and including the word "section," in line 14.

Which was agreed to, and Mr. Coler appointed said committee, who, on leave, reported the bill back, amended as instructed.

The question then being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 76, nays 7, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Armstrong of Guernsey, Baker

of Coshocton, Baker of Perry, Bay, Beach, Beatty, Bell, Blake, Brooke, Brunner, Case, Carnahan, Chapman of Cuyahoga, Cole, Coler, Cooley, Conklin, Conkright, Eidson, Eshelman, Faxon, Gowey, Gordon, Green, Grosvenor, Hardy, Harrison, Haven, Heitmann, Herron, Hill, Hoagland, Hodge, Holloway, Huston, Inman, Johnson, Kemp, Light, Loomis, Mack, Mann, Martin, McCloud, McCoy, McKinley, McLain, Mesloh, Miller, Moorehead, Morris, Munson, Murlin, Myers of Fayette, Neff, Newell, Newton, Norton, Parker, Pattison, Pearson, Ramsay, Ray, Richards, Robb, Sater, Scott, Sherrick, Thompson of Lucas, Thompson of Montgomery, Varley, Watson, Weible and Williams—76.

Those who voted in the negative were—

Messrs. Baker of Fairfield, Barnett, Baskin, Boyce, Howland, Sheppard and White—7.

So the bill passed. The title was agreed to.

On motion of Mr. Case, the House then proceeded to the consideration of H. B. No. 62, to authorize the Board of Public Works to lower three or more culverts along the National road, between the villages of Etna and Wagram, in Licking county.

Said bill was then read the third time.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 44, nays 39, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Beach, Bell, Brooke, Case, Cole, Coler, Eshelman, Gordon, Green, Hardy, Harrison, Heitmann, Hill, Hodge, Huston, Inman, Johnson, Kemp, Lewis, Light, McCloud, McCoy, McKinley, Mesloh, Miller, Moorehead, Murlin, Newell, Norton, Parker, Pearson, Poe, Robb, Sater, Thompson of Lucas, Thompson of Montgomery, Van Meter, Weible, White and Williams—44.

Those who voted in the negative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Barnett, Baskin, Bay, Beatty, Blake, Boyce, Carnahan, Chapman of Cuyahoga, Cooley, Eidson, Faxon, Gowey, Grosvenor, Herron, Hoagland, Holloway, Howland, Loomis, Mack, Mann, Marx, Martin, Morris, Munson, Myers of Fayette, Neff, Newton, Oren, Pattison, Ramsay, Ray, Richards, Scott, Sherrick, Tryon, Varley and Watson—39.

So the bill failed to pass.

On motion of Mr. Morris, the House took a recess.

HALF-PAST TWO O'CLOCK P.M.

H. B. No. 114, providing for printing and distributing the journals of the General Assembly and the laws and public documents, and to repeal certain acts therein named, having been read the third time yesterday, and being the special order for this hour, the House resumed its consideration.

Mr. Brunner moved that it be referred to a select committee of one, with instructions to amend as follows: Section 1, line 2, strike out the word "the," and in lieu thereof insert "a copy of the."

Which was disagreed to.

The question then being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 68, nays 22, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Armstrong of Guernsey, Baker of Fairfield, Baker of Perry, Bay, Beatty, Bell, Blake, Boyce, Brooke,

Brunner, Case, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Coler, Cooley, Conkright, Eidson, Faxon, Ford, Geghan, Gowey, Gordon, Grosvenor, Haag, Hardy, Harrison, Heitmann, Herron, Hoagland, Holloway, Howland, Huston, Johnson, Light, Loomis, Mack, Mann, Marx, Martin, McCoy, McKinley, McLain, Mesloh, Morris, Munson, Murlin, Myers of Ashland, Myers of Fayette, Neff, Newton, Oren, Ramsay, Ray, Richards, Sater, Scott, Sherrick, Thompson of Lucas, Tryon, Van Meter, Varley, Walker, Watson, Weible and Williams—68.

Those who voted in the negative were—

Messrs. Baker of Coshocton, Barnett, Baskin, Beach, Cole, Conklin, Eshelman, Hill, Hodge, Inman, Kemp, McCloud, Miller, Moorehead, Norton, Parker, Pattison, Pearson, Poe, Sheppard, Thompson of Montgomery, and White—22.

So the bill passed. The title was agreed to.

H. B. No. 115, to authorize the county commissioners of Tuscarawas county, Ohio, to borrow money and issue bonds to pay off an existing indebtedness contracted in the erection of bridges, was read the third time.

Mr. Lewis moved to refer the bill to a select committee of one, with instructions to amend as follows: Strike out, in line 6, section 1, the words "twenty thousand," and insert "fifteen thousand."

Which was agreed to, and Mr. Lewis appointed said committee.

H. B. No. 158, to establish and protect foot or sidewalks and shade and ornamental trees along certain public roads and highways, was read the third time.

Mr. Sater moved to refer the bill to a select committee of one, with instructions to amend as follows: Section 1, strike out "60 feet," and insert "50 feet."

Which was agreed to, and Mr. Sater appointed said committee, who, on leave, reported the same back, amended as instructed.

Mr. Varley moved to refer said bill to a select committee of one, with instructions to amend as follows: In section 2, line 2, strike out the words "or stock."

Which was disagreed to.

Mr. Grosvenor moved to recommit said bill to the committee on Judiciary.

Which was agreed to.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has passed the following bill, in which the concurrence of the House of Representatives is requested:

S. B. No. 8—By Mr. Wallace: To amend section 543 of the act to provide for the organization and government of municipal corporations, passed May 7, 1869, and as amended May 2, 1871.

Attest: S. K. DONAVIN, *Clerk.*

Said bill was read the first time.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has adopted the following joint resolution, in which the concurrence of the House of Representatives is requested:

S. J. R. No. 19—By Mr. Worthington: Authorizing the employment of a clerk by the select committee on the Central Lunatic Asylum expenditures.

Attest: S. K. DONAVIN, *Clerk.*

The question being on the adoption of said resolution, the yeas and nays were ordered, and resulted—yeas 69, nays 14, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Armstrong of Guernsey, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Bay, Beach, Beatty, Bell, Blake, Boyce, Brooke, Brunner, Carnahan, Chapman of Cuyahoga, Cole, Coler, Cooley, Eidson, Eshelman, Faxon, Ford, Geghan, Gowey, Gordon, Green, Haag, Hardy, Harrison, Herron, Hill, Hoagland, Holloway, Howland, Inman, Johnson, Kemp, Lewis, Mack, Marx, Martin, McCloud, McCoy, McKinley, McLain, Moorehead, Munson, Murlin, Myers of Ashland, Myers of Fayette, Neff, Newton, Norton, Parker, Pattison, Poe, Ramsay, Ray, Richards, Richmond, Robb, Sater, Scott, Tryon, Van Meter, Walker, Watson and Williams—69.

Those who voted in the negative were—

Messrs. Barnett, Baskin, Conklin, Conkright, Grosvenor, Heitmann, Light, Mann, Sheppard, Sherrick, Thompson of Montgomery, Varley, Weible and White—14.

So the resolution was adopted.

Mr. Baker of Fairfield submitted the following report:

The committee on Fees and Salaries, to whom was referred H. B. No. 55, fixing the salaries of the several county officers therein named, having had the same under consideration, report it back without recommendation.

GEO. S. BAKER, GEO. JOHNSON,
LEBBEUS COLE, WM. W. BEATTY.
WM. T. CONKLIN,

Mr. Oren offered a substitute for the bill, and on his motion the substitute and the report of the committee were laid on the table and ordered to be printed.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has passed the following bills, in which the concurrence of the House of Representatives is requested:

S. B. No. 52—By Mr. Jones: To amend section 464 of an act to establish a code of civil procedure, passed March 11, 1853. (S. & C., 1089.)

S. B. No. 51—By Mr. Jones: Supplementary to the code of criminal procedure for the State of Ohio, to provide for the mode of taking bail in criminal cases, and the justification of sureties therein.

Attest: S. K. DONAVIN, *Clerk.*

Said bills were read the first time.

H. B. No. 132, to authorize the commissioners of Darke county to levy a tax for agricultural purposes, was read the third time.

On motion of Mr. Walker, the further consideration of said bill was postponed until to-morrow, at 3 o'clock P.M.

H. B. No. 172, to attach the north half of section 28, town 7, south, range 6, east, to joint sub-district No. 7, Franklin township, Shelby county, Ohio, was read the third time.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 67, nays 5, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Baker of Coshocton, Bay, Beach, Blake, Boyce, Brooke, Carnahan, Chapman of Cuyahoga, Cole, Coler, Cooley, Conklin, Conkright, Eidson, Eshelman, Faxon, Ford, Geghan, Gowey, Gordon, Green, Grosvenor, Hardy, Harrison, Heitmann, Herron, Hill, Hodge, Holloway, Huston,

Inman, Johnson, Kemp, Lewis, Light, Mack, Mann, Marx, Martin, McCoy, McLain, Morris, Murlin, Myers of Ashland, Myers of Fayette, Neff, Newton, Norton, Parker, Pattison, Poe, Ramsay, Ray, Richards, Richmond, Robb, Sater, Scott, Sherrick, Tryon, Van Meter, Varley, Walker, Weible and Williams—67.

Those who voted in the negative were—

Messrs. Barnett, Baker of Fairfield, Howland, Sheppard and White—5.

So the bill passed.

Mr. Armstrong of Guernsey moved to amend the title by inserting the word "school" before the word "sub-district."

Which was agreed to.

The title, as amended, was then agreed to.

Mr. Pattison submitted the following report:

The joint committee on Enrollment have examined, and found correctly enrolled, the following joint resolution:

S. J. R. No. 16: Providing for the admission of David Elder into the Southern Lunatic Asylum.

J. C. Fisher, L. A. Brunner,
S. Knox, O. B. Chapman,
A. M. Burns, H. M. Chapman,
E. B. Parker, B. Neff.
Henry Hardy,

The Speaker *pro tem.* then, in the presence of the House, signed said joint resolution.

S. B. No. 22, to amend the 1st and 2d sections of the act entitled an act to authorize the board of education of the incorporated village of Wapakoneta, in the county of Auglaize, to borrow money and issue bonds to build a school-house, or additions to the school-house in said town, was read the third time.

On motion of Mr. Murlin, the further consideration of said bill was postponed until to-morrow.

S. B. No. 23, for the relief of the county treasury of Richland county, Ohio, was read the third time.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 81, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Armstrong of Guernsey, Baker of Coshocton, Baker of Fairfield, Barnett, Baskin, Bay, Beach, Beatty, Blake, Boyce, Brooke, Brunner, Carnahan, Chapman of Cuyahoga, Cole, Coler, Cooley, Conklin, Conkright, Eidson, Eshelman, Faxon, Ford, Geghan, Gordon, Green, Grosvenor, Hardy, Harrison, Haven, Heitmann, Herron, Hill, Hoagland, Hodge, Holloway, Howland, Huston, Inman, Johnson, Kemp, Lewis, Light, Mack, Mann, Marx, Martin, McKinley, McLain, Moorehead, Morris, Munson, Murlin, Myers of Ashland, Myers of Fayette, Neff, Newton, Norton, Oren, Parker, Pattison, Pearson, Poe, Ramsay, Ray, Richards, Richmond, Robb, Sater, Scott, Sheppard, Sherrick, Thompson of Montgomery, Van Meter, Varley, Walker, Watson, Weible and Williams—81.

So the bill passed. The title was agreed to.

The following bill was introduced and read the first time:

H. B. No. 183—By Mr. Gordon: Supplementary to an act entitled an act to protect the elections of voluntary political associations, and to punish fraud therein, passed February 24, 1871.

On motion of Mr. Blake, the House adjourned.

Attest: THOMAS COUGHLIN, *Clerk.*

FRIDAY, FEBRUARY 13, 1874—10 o'clock A.M.

The House met pursuant to adjournment.
Prayer by the Rev. I. F. Stidham.
The Journal was read and approved.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has passed the following bill, in which the concurrence of the House of Representatives is requested:

S. B. No. 26—By Mr. Ellis: Authorizing the trustees of Jefferson township, Muskingum county, to appropriate certain moneys belonging to said township, on Main street, in the village of Dresden.

Attest: S. K. DONAVIN, *Clerk.*

Said bill was read the first time.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has concurred in the passage of H. B. No. 152, making partial appropriations for the year 1874.

Attest: S. K. DONAVIN, *Clerk.*

Mr. Heitmann presented the petition of the trustees of Green Lawn Cemetery Association, of Columbus, Ohio, praying that H. B. No. 170 may be passed.

Which was referred to the committee on Roads and Highways.

Mr. Heitmann presented the remonstrance of Geo. K. Nash and 15 other citizens of Franklin county, remonstrating against the passage of H. B. No. 170.

Which was referred to the committee on Roads and Highways.

Mr. Brooke presented the remonstrance of A. D. Foster and 57 other citizens of Stark county, against the passage of H. B. No. 35, to protect land-holders.

Which was referred to the committee on Agriculture.

Mr. Haven presented the memorial of Robert Mitchell and 1,000 other citizens of Hamilton county, remonstrating against any interference with the several bills authorizing the construction of the Cincinnati Southern Railroad.

Which was referred to the committee on Railroads and Telegraphs.

Mr. Weible presented the remonstrance of T. P. Johnson and 206 other citizens of Van Wert county, against the passage of H. B. No. 143, authorizing the commissioners of said county to build a court-house.

Which was referred to the committee on Fees and Salaries.

Mr. Holloway presented the petition of D. W. Hise and 155 other citizens of Columbiana county, asking that no acts be passed that would in any way modify or weaken any of the present liquor laws of the State.

Which was referred to the committee on Temperance.

Mr. Walker presented the petition of Geo. W. Moore and 64 other citizens of Darke county, praying for the passage of H. B. No. 132, to authorize the commissioners of Darke county to levy a tax for agricultural purposes.

Which was read at the Clerk's desk, and laid on the table.

Mr. Thompson of Montgomery presented the remonstrance of John

Bettelon and 325 other citizens of Dayton, Montgomery county, against the Kemp bill.

Which was referred to the committee on Agriculture.

Mr. Brunner presented the memorial of S. S. Rickly, of Franklin county.

Which was referred to the committee on Claims.

Mr. Heitmann presented the remonstrance of John L. Kaiser and 47 other citizens of Franklin county, remonstrating against the passage of H. B. No. 170.

Which was referred to the committee on Roads and Highways.

Mr. Scott moved that the committee on the Judiciary be discharged from the further consideration of the memorial of Charles G. Slocum and other physicians, and that it be referred to the committee on Medical Colleges and Societies.

Which was agreed to, and the memorial so referred.

Mr. Brunner submitted the following report:

The committee of conference on the matters of difference between the Senate and House of Representatives on H. J. R. No. 10, having had the same under consideration, recommend that the Senate recede from its amendment; that the resolution be amended by striking out the words "fourteen thousand," in line three, and inserting the words "eleven thousand five hundred" in lieu thereof; and that when so amended the same be adopted by the Senate and House.

JAS. W. NEWMAN,	PAUL A. J. HUSTON,
J. K. RUKENBROD,	J. SCOTT,
W. P. REID,	L. A. BRUNNER,
Senate Committee.	*House Committee.*

The question being on agreeing to the report of the committee, the yeas and nays were ordered, and resulted—yeas 68, nays 5, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Guernsey, Baker of Coshocton, Baker of Fairfield, Beach, Beatty, Bell, Blake, Brooke, Case, Carnahan, Chapman of Meigs, Cole, Coler, Cooley, Conklin, Conkright, Eidson, Faxon, Ford, Geghan, Gowey, Grosvenor, Hardy, Harrison, Haven, Heitmann, Herron, Hodge, Holloway, Howland, Inman, Johnson, Kemp, Loomis, Mack, Mann, Marx, Martin, McCloud, McCoy, McLain, Mesloh, Morris, Munson, Murlin, Myers of Fayette, Nelson, Newell, Newton, Norton, Pattison, Ramsay, Ray, Richmond, Robb, Sater, Scott, Sherrick, Stone, Thompson of Lucas, Tryon, Van Meter, Varley, Walker, Watson, Weible, White and Williams—68.

Those who voted in the negative were—

Messrs. Boyce, Eshelman, Hill, McKinley, and Thompson of Montgomery—5.

So the report of the committee was agreed to.

The following bills were read the second time:

S. B. No. 8: To amend section 543 of the act to provide for the organization and government of municipal corporations, passed May 7, 1869, and as amended May 2, 1871.

Which was referred to the committee on Municipal Corporations.

S. B. No. 52: To amend section 464 of an act to establish a code of civil procedure, passed March 11, 1853.

Which was referred to the committee on the Judiciary.

On motion of Mr. Hodge, S. B. No. 26 was returned to the Senate, with the request that the Senate send the House the engrossed bill.

S. B. No. 51, supplemental to the code of criminal procedure for the State of Ohio, to provide for the mode of taking bail in criminal cases,

and the justification of sureties therein, was read the second time, and referred to the committee on the Judiciary.

H. B. No. 85, to amend section 6 of an act entitled an act to amend section 1 of an act passed May 16, 1868, entitled an act to amend original sections 6 and 7 of the act entitled an act relating to the organization of courts of justice, and their powers and duties, passed February 19, 1852, was read the third time.

Mr. Howland moved that the further consideration of the bill be postponed until to-morrow.

Which was agreed to.

S. B. No. 22, to amend the first and second sections of the act entitled an act to authorize the board of education of the incorporated village of Wapakoneta, in the county of Auglaize, to borrow money and issue bonds to build a school-house, or additions to the school-house in said town, was read the third time.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 57, nays 29, as follows:

Those who voted in the affirmative were—

Messrs. Baker of Coshocton, Barrett, Beach, Bell, Boyce, Brooke, Case, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Cole, Cooley, Faxon, Ford, Geghan, Hardy, Haven, Heitmann, Herron, Hodge, Holloway, Holt, Howland, Huston, Johnson, Lewis, Light, Loomis, Mack, Mann, Marx, Martin, McCloud, McCoy, McKinley, Mesloh, Moorehead, Morris, Munson, Murlin, Myers of Ashland, Myers of Fayette, Nelson, Newell, Newton, Pearson, Ramsay, Robb, Scott, Sherrick, Thompson of Lucas, Thompson of Montgomery, Tryon, Van Meter, Walker, Weible and Williams—57.

Those who voted in the negative were—

Messrs. Armstrong of Guernsey, Baker of Fairfield, Blake, Coler, Conklin, Conkright, Eidson, Eshelman, Gowey, Grosvenor, Harrison, Hatfield, Hill, Hoagland, Inman, Kemp, McLain, Oren, Parker, Pattison, Ray, Richmond, Sater, Sheppard, Stone, Varley, Vincent, Watson and White—29.

So the bill passed. The title was agreed to.

Leaves of absence were granted as follows:

To Messrs. Thompson of Lucas, Green, Gordon and Cooley until Monday next; to Messrs. Mesloh and Norton until Tuesday; to Messrs. Baskin, Cole, Murlin, Neff and Archer for time indefinite.

The following bills were introduced and read the first time.

H. B. No. 184—By Mr. McLain: To provide for the safe-keeping of public funds, and amendatory of an act entitled an act to establish the independent treasury of the State of Ohio, passed April 12, 1858.

H. B. No. 185—By Mr. Lewis: To authorize the president and secretary of the Uhrichsville Agricultural Society to sell and convey certain lands.

H. B. No. 186—By Mr. Sheppard: To amend section 5 of an act entitled an act to regulate the election of State and county officers, passed May 3, 1852.

H. B. No. 187—By Mr. Ford: To authorize the trustees of the township of Thompson, Geauga county, to sell the second story of the town hall of said township.

H. B. No. 188—By Mr. Faxon: To amend section 2 of an act regulating the mode of administering assignments in trust for the benefit of creditors.

H. B. No. 189—By Mr. Varley: To amend section 378 of the act entitled an act to establish a code of civil procedure, passed March 11, 1853.

H. B. No. 190—By Mr. Richmond: To secure the protection and encourage the planting and culture of forests, and the planting of shade trees along the public highways of the State.

H. B. No. 191—By Mr. Conklin: To authorize the commissioners of Pickaway county to levy a tax to build a bridge across Deer Creek at or near Hayne's mill in said county.

H. B. No. 192—By Mr. Poe: Supplementary to an act to exempt specific articles of personal property from execution, passed April 16, 1873.

H. B. No. 193—By Mr. McLain: To authorize the trustees of Champion township, Trumbull county, to levy a tax to purchase a hearse.

H B. No. 194—By Mr. Grosvenor: Providing the means of enforcing recoveries of money otherwise than by levying execution.

H. B. No. 195—By Mr. Grosvenor: To amend section 3 of an act entitled an act of the jurisdiction and procedure before justices of the peace, and of the duties of constables in civil courts, passed and took effect March 10, 1860.

H. B. No. 196—By Mr. Grosvenor: For the protection of persons purchasing transportation tickets for passage on railway and steam navigation lines.

H. B. No. 197—By Mr. Hodge: To provide for supplying United States courts in Ohio with the laws of the State.

H. B. No. 198—By Mr. Mann: To authorize the creation of a separate school district in Royalton township, Fulton county, Ohio.

Mr. Mann moved that the constitutional rule be dispensed with, and that the bill be read a second time by its title.

Which was disagreed to.

Mr. Pattison moved that the vote by which H. B. No. 62 was lost be reconsidered.

Which was agreed to.

On motion of Mr. Pattison, the further consideration of said bill was postponed until Wednesday next.

Leaves of absence were granted as follows: To Mr. Watson until Tuesday next, and to Mr. Gowey for time indefinite.

Mr. Barnett submitted the following report:

The committee on Roads and Highways, to whom was referred H. B. No. 144, to amend sections 2 and 4 of an act to amend sections 1, 2, 4, 5, 6 and 11 of an act entitled an act to authorize county commissioners to construct roads on a petition of a majority of the resident land-owners along and adjacent to the line of said road, and to repeal an act therein named, passed march 29, 1868, having had the same under consideration, report it back, and recommend that it be engrossed and passed.

ROBERT BARNETT, W. H. CONKRIGHT,
B. NEFF, J. A. MOOREHEAD.
LEBBEUS COLE,

Said bill was ordered to be engrossed, and read the third time on Wednesday next.

Mr. Scott submitted the following report:

The committee on Judiciary, to whom was referred H. B. No 54, for the relief of Bradford township, Meigs county, having had the same under consideration, report it back, with the recommendation that it be amended as follows, engrossed and passed:

Add to the end of section 1 the following words: "Provided, said

credit shall in no way release Ira Sloan, said treasurer, or his sureties from the payment of the whole or any part of said sum of five hundred and twenty-three dollars and thirty-six cents."

J. SCOTT, T. M. ROBB,
WM. W. BEATTY, J. H. HEITMANN,
W. P. HOWLAND, J. M. HAAG.

The amendment was agreed to, and said bill was ordered to be engrossed, and read the third time Tuesday next.

Mr. Hoagland submitted the following report:

The committee on Railroads and Telegraphs, to whom was referred H. B. No. 63, to amend section 3 of an act entitled an act to prevent collisions on railroads within the State of Ohio, passed March 24, 1860, having had the same under consideration, report it back, and recommend its engrossment and passage.

M. A. HOAGLAND, J. E. PEARSON,
J. N. OREN, T. M. BAY.
T. B. WILLIAMS,

Said bill was ordered to be engrossed, and read the third time Tuesday next.

Mr. Hoagland submitted the following report:

The committee on Railroads and Telegraphs, to whom was referred H. J. R. No. 13, relative to printing of the Secretary of State's report, having had the same under consideration, report it back, and recommend its indefinite postponement.

M. A. HOAGLAND, J. E. PEARSON,
J. N. OREN, T. M. BAY.
T. B. WILLIAMS,

The report was agreed to, and the resolution indefinitely postponed.

Mr. Barnett submitted the following report:

The committee on Roads and Highways, to whom was referred H. B. No. 136, to amend section 27 of an act entitled an act opening and regulating roads and highways, passed January 27, 1853, having had the same under consideration, report it back, and recommend its engrossment and passage.

ROBERT BARNETT, W. H. CONKRIGHT,
B. NEFF, J. A. MOOREHEAD,
LEBBEUS COLE, E. P. NEWELL.

Said bill was ordered to be engrossed, and read the third time Wednesday next.

Mr. Faxon submitted the following report:

The committee on Corporations other than Municipal, to whom was referred H. B. No. 89, to authorize the trustees of Copley township, Summit county, to levy a tax to buy a hearse and build a hearse-house, having had the same under consideration, report it back, and recommend its passage.

J. H. FAXON, PAUL A. J. HUSTON,
J. M. POE, EDWARD BROOKE,
WM. VAN METER, C. A. COLER.

The bill was ordered to be engrossed, and read the third time Wednesday next.

Mr. Oren submitted the following report:

The committee on Railroads and Telegraphs, to whom was referred

H. B. No. 86, to prevent dangerous interference with steam boilers, having had the same under consideration, report it back, and recommend that it be engrossed and passed.

J. N. OREN, THOS. H. BASKIN,
J. E. PEARSON, T. B. WILLIAMS,
J. S. GORDON, T. M. BAY.
M. A. HOAGLAND,

Said bill was ordered to be engrossed, and read the third time Wednesday next.

Mr. Robb submitted the following report:

The committee on Privileges and Elections, to whom was referred H. B. No. 74, to amend section 2 of an act entitled an act supplementary to an act entitled an act to preserve the purity of elections, passed May 5, 1868, having had the same under consideration, report it back, with the following amendments, and recommend that after being so amended it be engrossed and passed:

After the word "ink," and before the word "on," in the fourth line, insert the words "with a space of not less than one-fifth of an inch between each name."

In the tenth line, after the word "heading," strike out the words "or which name shall be found on other ballots with other designated headings."

In the 13th line, after the word "found," strike out the words "but it shall count the same for the candidate whose name has been so omitted as if it contained the same."

T. M. ROBB, R. C. THOMPSON,
L. A. BRUNNER, C. C. ARCHER,
HIRAM MURLIN, SHELDEN NEWTON.

The amendments were agreed to.

On motion of Mr. Huston, said bill was laid on the table and ordered to be printed.

Mr. Johnson submitted the following report:

The committee on Public Works, to whom was referred H. B. No. 154, to repeal a certain act therein named, having had the same under consideration, report it back, and recommend its passage.

WM. BELL, JR., C. A. COLER,
J. E. PEARSON, GEO. JOHNSON.
J. H. HEITMANN,

Said bill was ordered to be engrossed, and read the third time Thursday next.

Mr. Oren submitted the following report:

The committee on Railroads and Telegraphs, to whom was referred H. B. No. 135, to amend an act entitled an act to amend section 13 of an act entitled an act to provide for the creation and regulation of incorporated companies in the State of Ohio, passed May 1, 1852, passed April 25, 1873, having had the same under consideration, report it back, and recommend that it be indefinitely postponed.

J. N. OREN, J. E. PEARSON,
T. B. WILLIAMS, T. M. BAY.
M. A. HOAGLAND,

The report was agreed to, and the bill indefinitely postponed.

Mr. Pattison submitted the following report:

The joint committee on Enrollment have examined, and found correctly enrolled, the following bill:

H. B. No. 60: To authorize the county commissioners of Ross county to transfer any sum not to exceed twenty-five thousand dollars from the bridge fund or surplus funds of said county to the infirmary building fund, and to authorize said commissioners to issue bonds to the amount of thirty thousand dollars to borrow money for the purpose of completing the county infirmary.

E. B. PARKER,	J. C. FISHER,
HENRY HARDY,	S. KNOX,
H. M. CHAPMAN,	A. M. BURNS,
O. B. CHAPMAN,	J. M. PATTISON.

The Speaker then, in the presence of the House, signed said bill.

Mr. Grosvenor moved to reconsider the vote by which H. B. No. 85, to amend section 6 of an act entitled an act to amend section 1 of an act passed May 16, 1868, entitled an act to amend original sections 6 and 7 of the act entitled an act relating to the organization of courts of justice, and their powers and duties, passed February 19, 1852, was postponed until to-morrow.

Which was agreed to.

The question then being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 85, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Barrett, Bay, Beach, Beatty, Bell, Boyce, Brooke, Brunner, Case, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Coler, Cooley, Conklin, Conkright, Eidson, Eshelman, Faxon, Ford, Geghan, Grosvenor, Haag, Hardy, Harrison, Hatfield, Haven, Heitmann, Herron, Hoagland, Hodge, Holloway, Holt, Howland, Huston, Inman, Johnson, Lewis, Light, Loomis, Mack, Mann, Marx, Martin, McCloud, McKinley, McLain, Mesloh, Moorehead, Munson, Myers of Ashland, Myers of Fayette, Newell, Norton, Oren, Parker, Pattison, Poe, Ramsay, Ray, Richards, Richmond, Robb, Sater, Scott, Sheppard, Sherrick, Stone, Thompson of Montgomery, Tryon, Van Meter, Varley, Vincent, Walker, Watson, Weible, White, Williams and Speaker —85.

So the bill passed.

Mr. Beatty moved to amend the title by striking out the words "and seven."

Which was agreed to.

The title, as amended, was then agreed to.

Mr. Howland submitted the following report:

The committee on Corporations other than Municipal, to whom was referred H. B. No. 128, supplementary to an act entitled an act to incorporate loan and savings associations, passed and took effect February 26, 1873, having had the same under consideration, report it back, with the recommendation that it be engrossed and passed, amended as follows:

In line 4, section 1, after the word "shall," insert "immediately on request of a majority of the committee herein provided for." In line 1, section 4, after the word "trustees," insert "or any other officer, person or persons having charge of the books, moneys or property." In line 2, section 4, strike out the word "this," and insert the word "said." Strike out all after the word "act," in line 2, section 4, to the word "who," in line 3. In line 4, section 4, strike out all after the word "of" to the word

"shall," in same line, and insert the words "this act." In line 5, section 4, insert after the word "conviction," the word "thereof."

W. P. HOWLAND, PAUL A. J. HUSTON.
J. H. FAXON, EDWARD BROOKE.
WM. VAN METER,

Mr. Brunner moved that the bill and amendments be committed to a select committee of one.

Which was agreed to, and Mr. Brunner appointed said committee.

Mr. Richards, on, leave, presented the remonstrance of C. Schooly and 207 other citizens of Jefferson county, against the repeal of sections 7 and 10 of an act to provide against the evils resulting from the sale of intoxicating liquors, passed May 1, 1854, as amended April 18, 1870; also, against any and all modifications of said statute tending to weaken the penalties enumerated therein.

Which was referred to the committee on Temperance.

On motion of Mr. Holloway, the House took a recess.

HALF-PAST TWO O'CLOCK P.M.

Mr. Chapman of Cuyahoga asked and obtained leave of absence for himself from to-morrow until Monday evening.

Mr. Eidson offered for adoption the following resolution:

H. R. No. 70: WHEREAS, There is just cause for complaint by the patrons of free schools of the State on account of the exorbitant prices of school books adopted as a series for the use of our common free schools, occasioned by publishing monopolies, both in and out of the State, which is contrary to the spirit and effect of the school laws, and to the manifest injury and disadvantage of all interested in education, and especially so to poor and indigent children who are unable to procure said books only by humiliation at the hands of the school directors; therefore

Resolved, That the committee on Common Schools be and are hereby instructed to inquire into this grievance and of making provisions by law for the publication of a uniform series of school books for the use of the common schools of the State at reasonable rates, and report in that behalf by bill or otherwise at their earliest convenience.

Mr. Poe moved to amend said resolution as follows: "That no teacher of any school district shall deal directly or indirectly in any school books."

Which was disagreed to.

The resolution was then adopted.

The following bills were introduced, on leave, and read the first time:

H. B. No. 199—By Mr. Baker of Fairfield: To authorize the board of education of Hocking township, Fairfield county, to issue bonds to raise money for erecting two new school-houses, and to levy a tax to pay said bonds.

H. B. No. 200—By Mr. Gordon: Relating to section 29, township 4, fractional range 1, Miami purchase, in the original surveyed township of Cincinnati, in the county of Hamilton.

On motion of Mr. Beatty, H. J. R. No. 15 was taken from the table and referred to the committee on Public Works.

On motion of Mr. Sater, the petitions relating to H. B. No. 58 were taken from the table and referred to the committee on the Judiciary.

On motion of Mr. Parker, H. B. No. 25 was taken from the table.

Said bill was then ordered to be engrossed, and read the third time Thursday next.

Mr. Pearson presented the remonstrance of Peter Eidemiller, of Miami county, against a decrease of the toll now authorized by law on turnpike roads.

Which was referred to the committee on Roads and Highways.

Mr. Sater presented the remonstrance of Isaac B. Matson and 700 other citizens of Hamilton county, against the passage of the Kemp game bill and H. B. No. 45.

Which was referred to the committee on Agriculture.

Mr. Miller moved that H. R. No. 69, in regard to the election of an official reporter, be taken from the table.

Which was agreed to.

The question being on the motion of Mr. Scott to strike out of the resolution the words "official reporter," and insert in lieu thereof "assistant clerk,"

Mr. Case arose to a point of order, claiming that the laws of the State do not authorize an official reporter nor an assistant clerk, unless upon the request of the Chief Clerk.

Which point of order was sustained by the Chair.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has concurred in House amendments to S. B. No. 23, for the relief of the county treasury of Richland county, Ohio.

Attest: S. K. DONAVIN, *Clerk.*

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has adopted the following joint resolution, in which the concurrence of the House of Representatives is requested:

S. J. R. No. 20: Declaring what shall be considered a proper engrossment of a bill.

Attest: S. K. DONAVIN, *Clerk.*

The question being on the adoption of the resolution, the yeas and nays were ordered, and resulted—yeas 1, nays 80, as follows:

Mr. Parker voted in the affirmative.

Those who voted in the negative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Barrett, Bay, Beatty, Bell, Boyce, Brooke, Brunner, Case, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Coler, Cooley, Conklin, Conkright, Eidson, Eshelman, Faxon, Ford, Geghan, Gowey, Grosvenor, Hardy, Harrison, Hatfield, Haven, Heitmann, Herron, Hoagland, Hodge, Holloway, Howland, Huston, Johnson, Kemp, Lewis, Light, Mack, Mann, Marx, Martin, McCloud, McCoy, McKinley, McLain, Miller, Moorehead, Morris, Munson, Myers of Ashland, Myers of Fayette, Newton, Pattison, Pearson, Poe, Ramsay, Ray, Richards, Richmond, Robb, Sater, Scott, Sheppard, Stone, Thompson of Montgomery, Tryon, Van Meter, Varley, Vincent, Walker, Watson, Weible, White and Speaker—80.

So the resolution was not adopted.

Mr. Case submitted the following report:

The committee on Common Schools and School Lands, to whom was

referred H. B. No. 104, to amend section 11 of an act for the reorganization and maintenance of common schools, passed May 1, 1873, having had the same under consideration, report it back, with the recommendation that it be amended as follows:

At the end of line 1, section 1, insert: "Section 11 of the act entitled an act for the reorganization and maintenance of common schools, passed May 1, 1873, be amended so as to read as follows: "Section 11."

O. CASE, JOHNSON SHERRICK,
A. W. MUNSON, G. W. LIGHT,
E. MARTIN, H. G. TRYON.

The amendment was agreed to, and said bill ordered to be engrossed, and read the third time Wednesday next.

Mr. Sherrick submitted the following report:

The committee on Common Schools and School Lands, to whom was referred H. B. No. 173, to repeal certain sections of an act entitled an act for the reorganization and maintenance of common schools, passed May 1, 1873, having had the same under consideration, report it back, with the recommendation that it be indefinitely postponed.

JOHNSON SHERRICK, E. MARTIN,
O. CASE, G. W. LIGHT.
A. W. MUNSON,

The report was agreed to, and the bill indefinitely postponed.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has passed the following bill, in which the concurrence of the House of Representatives is requested:

S. B. No. 26: Authorizing the trustees of Jefferson township, Muskingum county, to appropriate certain moneys belonging to said township, on Main street, in the village of Dresden.

Attest: S. K. DONAVIN, *Clerk.*

Said bill was read the first time.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has concurred in the passage of H. B. No. 26, to establish a joint sub-school district in Shelby county.

Attest: S. K. DONAVIN, *Clerk.*

Mr. Morris offered for adoption the following resolution:

H. J. R. No. 24: *Resolved by the General Assembly of the State of Ohio*, That from and after February 17, 1874, no leave of absence be granted to any member of this General Assembly, except in case of sickness; and that the Senate standing committees be instructed to diligently inquire into and dispatch the business in their hands, and that this General Assembly do adjourn *sine die* on the tenth day of March, 1874.

Mr. BRUNNER gave notice of a desire to discuss said resolution; so, under the rule, it was laid on the table.

Mr. Morris moved to suspend the rule of the House, and that the resolution be acted on now.

On which motion the yeas and nays were ordered, and resulted—yeas 41, nays 37, as follows:

Those who voted in the affirmative were—

Messrs. Baker of Coshocton, Bay, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Coler, Eshelman, Gowey, Grosvenor, Harrison, Haven, Heitmann, Herron, Hoagland, Hodge, Holloway, Howland, Johnson, Light, Loomis, Mack, Mann, Marx, McLain, Moorehead, Morris, Myers of Ashland, Myers of Fayette, Parker, Pattison, Poe, Richards, Robb, Scott, Sheppard, Sherrick, Stone, Tryon, Varley, Vincent and Watson—41.

Those who voted in the negative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Baker of Fairfield, Baker of Perry, Beatty, Bell, Blake, Boyce, Brooke, Brunner, Case, Conklin, Conkright, Eidson, Faxon, Ford, Hardy, Hatfield, Huston, Kemp, Lewis, McCloud, McCoy, McKinley, Munson, Nelson, Norton, Oren, Ramsay, Ray, Richmond, Sater, Thompson of Montgomery, Van Meter, Walker, Weible and White—37.

So the House refused to suspend the rule.

On motion of Mr. Scott, the House proceeded to the consideration of H. B. No. 132, to authorize the commissioners of Darke county to levy a tax for agricultural purposes, which was the special order for this hour.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 37, nays 45, as follows:

Those who voted in the affirmative were—

Messrs. Baker of Coshocton, Baker of Fairfield, Bell, Blake, Brooke, Case, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Eidson, Grosvenor, Heitmann, Herron, Hodge, Johnson, Lewis, Light, Loomis, Mack, Mann, Martin, McCloud, McCoy, McKinley, Miller, Morris, Myers of Ashland, Myers of Fayette, Newton, Richmond, Sater, Scott, Thompson of Montgomery, Walker, Weible, Williams and Speaker—37.

Those who voted in the negative were—

Messrs. Barnett, Barrett, Beatty, Boyce, Brunner, Coler, Cooley, Conklin, Conkright, Eshelman, Ford, Gowey, Gordon, Hardy, Harrison, Hatfield, Haven, Hoagland, Holloway, Holt, Howland, Huston, Inman, Kemp, Marx, McLain, Moorehead, Munson, Nelson, Oren, Parker, Pattison, Pearson, Poe, Ramsay, Ray, Richards, Sheppard, Sherrick, Stone, Tryon, Van Meter, Varley, Vincent and White—45.

So the bill was lost.

Mr. Coler moved that the vote by which said bill was lost be reconsidered.

Which was agreed to.

On motion of Mr. Walker, the further consideration of said bill was postponed until Wednesday next.

Mr. Ford submitted the following report:

The select committee of one to whom was referred the petition of H. L. Black and others, of Russell township, Geauga county, asking for authority to levy a tax for the purpose of purchasing a hearse and erecting a hearse-house, having had the same under consideration, reports by bill.

GEO. H. FORD.

The following is the bill:

H. B. No. 201—By Mr. Ford, as a committee of one: To authorize the trustees of Russell township, Geauga county, to levy a tax for certain purposes therein named.

Said bill was read the first time.

Mr. Oren moved that the vote by which H. J. R. No. 13 was indefinitely postponed be reconsidered.

Which was agreed to.

On motion of Mr. Holloway, said resolution was recommitted to the committee of the Whole.

Mr. Gordon submitted the following report:

The committee on Federal Relations, to whom was referred H. B. No. 56, for the protection of buoys in the State of Ohio, having had the same under consideration, report it back, with the following amendment, and recommend its passage as amended:

In section 2, line 5, after the word "service," add "or a collector of customs, or a deputy collector of customs."

JAS. S. GORDON, THOS. J. MCLAIN, JR.
E. B. ESHELMAN, H. G. TRYON,
E. B. PARKER, O. J. HODGE.

Mr. Marx moved to amend the bill as follows:

Section 2, line 3, strike out "people," and insert "State of Ohio."

Which was agreed to.

The amendment, as amended, was then agreed to.

Said bill was then ordered to be engrossed, and read the third time Tuesday next.

Mr. Grosvenor, on leave, presented the petition of Thos. A. Beaton and 110 other citizens of Athens county, praying for a law to make it a penal offense for any person hiring a horse or horses to willfully abuse, kill, injure or destroy the same.

Which was referred to the committee on Agriculture.

Leave of absence until Monday evening was granted to Mr. Kemp.

Mr. Case submitted the following report:

The committee on Common Schools and School Lands, to whom was referred H. B. No. 141, to amend an act entitled an act for the reorganization and maintenance of common schools, passed May 1, 1873, having had the same under consideration, report it back, with the recommendation that it be indefinitely postponed.

O. CASE, JONHSON SHERRICK,
A. W. MUNSON, H. G. TRYON.
E. MARTIN,

The report was agreed to, and the bill indefinitely postponed.

Mr. Miller submitted the following report:

The committee on Municipal Corporations, to whom was referred H. B. No. 41, to amend an amendment of sections 7 and 10 of an act to provide against the evils resulting from the sale of intoxicating liquors in the State of Ohio, passed May 1, 1854, having had the same under consideration, report it back, with the recommendation that the same be indefinitely postponed.

E. W. MILLER, G. H. EIDSON,
WM. BELL, JR., GUIDO MARX.
O. J. HODGE,

The report was agreed to, and the bill indefinitely postponed.

Mr. Miller submitted the following report:

The committee on Municipal Corporations, to whom was referred H. B. No. 161, to amend section 640 of an act entitled an act to provide for the organization and government of municipal corporations, having had the same under consideration, report it back, with the recommendation that the same be indefinitely postponed.

E. W. MILLER, G. H. EIDSON,
WM. BELL, JR., GUIDO MARX.
O. J. HODGE,

The report was agreed to, and the bill indefinitely postponed.

Mr. Munson submitted the following report:

The committee on Common Schools and School Lands, to whom was referred H. B. No. 166, authorizing the creation of an additional sub-school district in Madison township, Columbiana county, having had the same under consideration, report it back, and recommend that it be engrossed and passed.

A. W. MUNSON, H. G. TRYON,
G. W. LIGHT, J. A. MOOREHEAD.
E. MARTIN,

Said bill was ordered to be engrossed, and read the third time Wednesday next.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has refused to concur in the passage of H. B No. 69, for the relief of Joseph S. Pierce.

Attest: S. K. DONAVIN, *Clerk.*

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has concurred in the passage of the following bill:

H. B. No. 98: To amend section 47 of an act entitled an act for the reorganization and maintenance of common schools, passed May 1, 1873.

Attest: S. K. DONAVIN, *Clerk.*

The following bill was introduced on leave, and read the first time:

H. B. No. 202—By Mr. Miller: To amend sections 306, 307, 318 and 325 of an act entitled an act to provide for the organization and government of municipal corporations, passed May 7, 1869.

Mr. Barrett, on leave, presented the remonstrance of W. F. Stark and 172 other citizens of Greene county, against the passage of H. B. No. 35, to protect land-holders.

Which was referred to the committee on Agriculture.

Leave of absence was granted Messrs. Hill and Barnett until Tuesday next.

Mr. Miller submitted the following report:

The committee on Municipal Corporations, to whom was referred H. B. No. 103, to amend section 338 of an act entitled an act to provide for the organization and government of municipal corporations, passed May 7, 1869, having had the same under consideration, report it back, with the following amendment, and recommend its passage as amended:

In section 1, line nine, strike out "150,000," and insert "90,000."

E. W. MILLER, G. H. EIDSON,
WM. BELL, JR., GUIDO MARX.
O. J. HODGE,

Mr. Poe moved to refer said bill and amendment to a select committee of one.

Which was agreed to.

Mr. Poe was appointed said committee.

Mr. Miller submitted the following report:

The committee on Municipal Corporations, to whom was referred the petition of numerous citizens of Ashtabula county in regard to amending the laws applying to the annexation of contiguous territory to incorpora-

ted villages, having had the same under consideration, report it back, with the recommendation that the prayer of the petitioners be not granted.

E. W. MILLER, G. H. EIDSON,
JOHN BELL, Jr., GUIDO MARX.
O. J. HODGE,

The report was agreed to, and the committee discharged.

On motion of Mr. McKinley, the House adjourned.

Attest: THOMAS COUGHLIN, *Clerk.*

SATURDAY, FEBRUARY 14, 1874—10 o'clock A.M.

The House met pursuant to adjournment.

Prayer by the Rev. I. F. Stidham.

The Journal was read and approved.

Mr. Parker submitted the following report:

The joint committee on Enrollment have examined, and found correctly enrolled, the following bill:

H. B. No. 152: Making partial appropriations for the year 1874.

E. B. PARKER, J. C. FISHER,
JOHN M. PATTISON, S. KNOX,
O. B. CHAPMAN, A. M. BURNS,
HENRY HARDY, M. C. LAWRENCE.

The Speaker, in the presence of the House, signed said bill.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has passed the following bill, in which the concurrence of the House of Representatives is requested:

S. B. No. 55—By Mr. Ferrall: To amend the 11th section of an act entitled an act regulating the mode of administering assignments in trust for the benefit of creditors, passed and took effect April 6, 1859. (S. & C., Vol. 1, p. 710.)

Attest: S. K. DONAVIN, *Clerk.*

On motion of Mr. Case, said bill was returned to the Senate, with the request that the engrossed bill be sent to the House.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has concurred in the passage of H. B. No. 112, relating to the purchase of books, maps and other educational appliances for the blind.

Attest: S. K. DONAVIN, *Clerk.*

MESSAGE FROM THE SENATE.

Mr. Speaker:

The following bills have been introduced in the Senate and read the first time:

S. B. No. 77—By Mr. Morris: Supplementary to the act entitled an act to regulate the election of State and county officers, passed May 3, 1852. (S. & C., p. 532.)

S. B. No. 78—By Mr. Burton: To amend sections 23, 24 and 25 of an act for the reorganization and maintenance of common schools, passed May 1, 1873.

S. B. No. 79—By Mr. Laughlin: To repeal section 117 of an act for the reorganization and maintenance of common schools, passed May 1, 1873. (O. L., Vol. 70, p. 227.)

Attest: S. K. DONAVIN, *Clerk.*

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has concurred in the passage of H. B. No. 2, to amend section 2 of an act amendatory of and supplementary to an act entitled an act to regulate insurance companies doing an insurance business in the State of Ohio, passed April 24, 1873, with the following amendment, in which the concurrence of the House of Representatives is requested: In line 4, section 1, after the word "States," insert the words "or of any foreign government."

Attest: S. K. DONAVIN, *Clerk.*

On motion of Mr. Heitmann, said bill and the Senate amendments were committed to the committee on Insurance.

Mr. Grosvenor presented the remonstrance of Judge Guthrie and 102 other citizens of Athens county, remonstrating against the passage of H. B. No. 35.

Which was referred to the committee on Agriculture.

Mr. Hodge presented the remonstrance of Louis Smithnight and 350 other citizens of Cuyahoga county, against the passage of H. B. No. 35, and the abolishing of the board of fish commissioners.

Which was referred to the committee on Agriculture.

Mr. Stone presented the remonstrance of thirteen hundred and twenty-four citizens of Gallia county, against the repeal or modification of the Adair liquor law.

Which was referred to the committee on Temperance.

Mr. Faxon presented the petition of N. L. Robbins, Albert Foster, and 65 other citizens of Lagrange township, Lorain county, to levy a tax to purchase a site and to erect a town hall thereon for the accommodation of citizens of said township.

Which was referred to a select committee of one—Mr. Faxon.

Mr. Martin presented the petition of the trustees of New London township and 160 other citizens of Huron county, to be authorized to transfer certain funds raised for the purpose of building a railroad (under a law which has been declared unconstitutional) to the school fund.

Which was referred to the committee on Finance.

Mr. Weible presented the remonstrance of T. D. Priddy and 137 other citizens of Van Wert county, against the passage of H. B. No. 143, authorizing the commissioners of said county to build a court-house.

Which was referred to the committee on Fees and Salaries.

Mr. Heitmann presented the remonstrance of W. Loos and 85 other citizens of Franklin county, remonstrating against the passage of H. B. No. 170.

Which was referred to the committee on Roads and Highways.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has agreed to the report of the committee of conference on Senate amendment to H. J. R. No. 10, relative to printing the report of the Secretary of State.

Attest: S. K. DONAVIN, *Clerk.*

The following bills were read the second time:

S. B. No. 26: To authorize the trustees of Jefferson township, Muskingum county, to appropriate certain moneys belonging to said township on Main street, in the village of Dresden.

Referred to a select committee of two—Messrs. Moorehead and Sheppard.

H. B. No. 179: To amend sections 57, 60 and 61 of an act entitled an act of the jurisdiction and procedure before justices of the peace, and of the duties of constables in civil courts, passed March 14, 1853.

Referred to the committee on the Judiciary.

H. B. No. 180: To amend section 5 of an act entitled an act to enable associations of persons to raise funds to be loaned among their members for building homesteads, and for other purposes, to become a body corporate, passed May 5, 1868.

Referred to the committee on Corporations other than Municipal.

H. B. No. 181: To attach Pickaway county to the second sub-division of the fifth judicial district.

Referred to the committee on the Judiciary.

H. B. No. 182: Supplementary to an act entitled an act for the maintenance and support of illegitimate children, passed April 3, 1873.

Referred to the committee on the Judiciary.

H. B. No. 183: Supplementary to an act entitled an act to protect the elections of voluntary political associations, and to punish fraud therein, passed February 24, 1871.

Referred to the committee on Privileges and Elections.

The following bills were introduced and read the first time:

H. B. No. 203—By Mr. McCoy: To authorize the appointment of commissioners to compile or prepare a series of text or school books, for use in the common schools of the State.

H. B. No. 204—By Mr. Hodge: To amend section 16 of an act entitled an act to organize and regulate an independent militia, passed April 18, 1870.

Mr. Faxon submitted the following report:

The committee on Ditches, Drains and Water-courses, to whom was referred H. B. No. 67, to more effectively provide for locating, establishing and constructing ditches, drains and water-courses in townships, and to repeal certain acts therein named, having had the same under consideration, report it back, with the following amendments, and recommend that it be engrossed and passed: In section 10, line 4, strike out the words "fifty cents," and insert the words "ten cents per hundred words." In section 10, line 7, after the words "five dollars," insert the words "per day." In section 13, line 2, strike out the word "competition," and insert the word "completion." In section 14, line 10, after the word "ditch," insert the words "or in any other manner obstruct said ditch." In section 14, line 11, strike out the words "and permit them," and insert the words "or other part of such ditch, and permit such obstructions." In section 21, line 4, after the word "work," insert the words "he, she or they." In section 21, line 7, after the word "suit," insert the words "in the name of their said township."

J. H. Faxon, N. Hatfield,
G. W. Light, W. H. Conkright,
H. Weible, D. C. Richmond.
T. M. Robb,

The amendments were agreed to.

The bill was ordered to be engrossed, and read the third time Wednesday next.

Leave of absence for an indefinite time, on account of sickness, was granted to Mr. White,

Mr. Howland submitted the following report:

The committee on Corporations other than Municipal, to whom was referred H. B. No. 31, to amend section 1 of an act to amend sections 66, 67 and 70 of the act entitled an act to provide for the creation and regulation of incorporated companies in the State of Ohio, passed May 1, 1852, and to repeal a certain act amendatory thereto, passed and took effect January 26, 1865, having had the same under consideration, report it back, with the following amendments: Strike out all after the words "incorporated by," in line 36, section 1, to the word "taking," in line 37. Insert in line 37, after the word "provided," the words "in this act." In line 37 strike out the word "herein."

The committee recommend the adoption of the above amendments, and the engrossment and passage of the bill as amended.

W. P. Howland, J. M. Poe,
Paul A. J. Huston, J. H. Faxon.
C. A. Coler,

The amendments were agreed to.

Said bill was ordered to be engrossed, and read the third time Wednesday next.

Mr. Coler submitted the following report:

The committee on Corporations other than Municipal, to whom was referred H. B. No. 113, to authorize the trustees of Avon township, Lorain county, to levy a tax for certain purposes therein named, having had the same under consideration, report it back, with the following amendments: Section 2, line 4, "after the word "yes," strike out all to the end of the section, and insert the following: "Then the trustees are hereby authorized to levy a tax upon the taxable property of said township, as provided in section 1, and collected in the same manner as taxes for township purposes are now collected." The committee further recommend its engrossment and passage.

C. A. Coler, Paul A. J. Huston,
J. H. Faxon, Edward Brooke.
Wm. Van Meter,

The amendments were agreed to.

Said bill was ordered to be engrossed, and read the third time Wednesday next.

Mr. Huston, on leave, presented the remonstrance of Stanley Matthews, Geo. E. Pugh, and 1,000 other citizens of Hamilton county, against the passage of the Kemp game bill and H. B. No. 45.

Which was referred to the committee on Agriculture.

Mr. Poe submitted the following report:

The select committee of one to whom was referred H. B. No. 103, to amend section 338 of an act entitled an act to provide for the organization and government of municipal corporations, passed May 7, 1869, and pending amendments, having had the same under consideration, reports it back, and recommends that the amendments recommended by the committee on Municipal Corporations be not agreed to.

J. M. Poe.

On motion of Mr. Hodge, said bill and amendments were laid on the table.

Mr. Hodge moved to reconsider the vote by which H. B. No. 161 was indefinitely postponed.

Which was agreed to.

On motion of Mr. Hodge, said bill was recommitted to the committee on Municipal Corporations.

The following bill was introduced on leave, and read the first time:

H. B. No. 205—By Mr. Grosvenor: To refund to the Ohio University certain funds in the State Treasury, and to provide for the future payment of the claims of said University.

On motion of Mr. Haag, the House adjourned.

Attest: THOMAS COUGHLIN, *Clerk.*

MONDAY, FEBRUARY 16, 1874—10 o'clock A.M.

The House met pursuant to adjournment.

Prayer by the Rev. J. L. Grover.

The Journal of Saturday was read and approved.

Mr. Scott offered the following resolution, which was adopted:

H. R. No. 71: *Resolved*, That all messages to the Senate, with their contents, shall be submitted to the Speaker for his approval before they are transmitted to the Senate.

Mr. McCoy presented the petition of S. H. Hurst and 34 other citizens of Chillicothe, Ross county, praying for some change in the law relating to school boards, and for the passage of an act which will leave the publishing of school books open to competition.

Which was referred to the committee on Common Schools and School Lands.

Mr. McLain presented the remonstrance of H. A. Potter, chairman of a public meeting held at Warren, Trumbull county, against any repeal or amendment of the Adair law so as to weaken the same.

Which was referred to the committee on Temperance.

The following bills were read the second time:

H. B. No. 184: To provide for the safe keeping of public funds, and amendatory of an act entitled an act to establish the independent treasury of the State of Ohio, passed April 12, 1858.

Referred to the committee on Finance.

H. B. No. 185: To authorize the president and secretary of the Urichsville Agricultural Society to sell and convey certain lands.

Referred to the committee on Agriculture.

H. B. No. 186: To amend section 5 of an act entitled an act to regulate the election of State and county officers, passed May 3, 1852.

Referred to the committee on Privileges and Elections.

H. B. No. 187: To authorize the trustees of the township of Thompson, Geauga county, to sell the second story of the town hall of said township.

Referred to the committee on New Counties and County Affairs.

H. B. No. 188: To amend section 2 of an act regulating the mode of administering assignments in trust for the benefit of creditors, passed and took effect April 6, 1859.

Referred to the committee on Judiciary.

H. B. No. 189: To amend section 378 of the act entitled an act to establish a code of civil procedure, passed March 11, 1853.

Referred to the committee on Judiciary.

H. B. No. 190: To secure the protection and encourage the planting and culture of forests, and the planting of shade trees along the public highways of the State of Ohio.

Referred to the committee on Judiciary.

H. B. No. 191: To authorize the commissioners of Pickaway county, Ohio, to levy a tax to build a bridge across Deer Creek, at or near Hayne's mill, in said county.

Referred to the committee on Roads and Highways.

H. B. No. 192: Supplementary to an act to exempt specific articles of personal property from execution, passed April 16, 1873.

Referred to the committee on Judiciary.

H. B. No. 193: To authorize the trustees of Champion township, Trumbull county, Ohio, to levy a tax to purchase a hearse.

Referred to the committee on Municipal Corporations.

H. B. No. 194: Providing the means of enforcing recoveries of money otherwise than by levying execution.

Referred to the committee on Judiciary.

H. B. No. 195: To amend the act to amend section 3 of an act entitled an act of the jurisdiction and procedure before justices of the peace, and of the duties of constables in civil courts, passed and took effect March 10, 1860.

Referred to the committee on Judiciary.

Mr. Howland presented the petition of W. H. Bugbee and 12 other citizens of Ashtabula county, for amending the municipal code.

Which was referred to the committee on Municipal Corporations.

The following bills were introduced, and read the first time:

H. B. No. 206—By Mr. Howland: To amend section 693 of the municipal code.

H. B. No. 207—By Mr. Myers of Ashland: To change the time for holding the second term of the court of common pleas for the year 1874 for the county of Ashland.

Mr. Hodge moved to suspend the rule of the House, and that H. B. No. 103 be recommitted to the committee on Municipal Corporations.

Which was agreed to, and the bill so committed.

Mr. Myers of Ashland, on leave, presented the petition of R. M. Campbell and 12 other attorneys, and the county officers of Ashland county, asking that the time for holding the term of the court of common pleas be changed from July 13, 1874, to August 17, 1874.

Mr. McLain presented the remonstrance of J. F. Pearce and 40 other citizens of Trumbull county, against any amendment to the Adair law so as to weaken the same.

Which was referred to the committee on Temperance.

Mr. West submitted the following report:

The committee on New Counties and County Affairs, to whom was referred H. B. No. 90, to provide for the removal of the seat of justice of Mahoning county, Ohio, from the town of Canfield to the city of Youngstown, in said county, having had the same under consideration, report it back, with the recommendation that it be engrossed and passed, with the following amendments:

Strike out all of said bill after the word "election," in line 17, section 4, and insert the following:

"Section 5. That in case a majority of the electors of said county of Mahoning shall vote for removal as hereinbefore provided, the seat of justice and county seat shall be deemed and taken to be removed from

Canfield, in said county, to the city of Youngstown, in said county, and to be located at said city of Youngstown: Provided, however, that nothing in this act shall be so construed as to authorize the removal of said seat of justice to the city of Youngstown until the citizens of the city and township of Youngstown shall have donated, paid and secured to the commissioners of said Mahoning county a sum of money in amount not less than one hundred thousand dollars, or such further sum as may be deemed necessary by said county commissioners, to be invested by them, according to law, in erecting a good and sufficient court-house, offices and jail for said county, and said fund to be raised free of any expense or taxation upon any other portion of the citizens of said county; and provided also, that the proper authorities of said city of Youngstown shall have secured and conveyed to said county commissioners, for the use of said county, a good and sufficient site for the location of said county buildings within said city.

"Section 6. That after the removal of said seat of justice and county seat to said city of Youngstown, the several officers of said county shall have the use of the offices and rooms in the court-house at said Canfield for the purpose of keeping and preserving books, papers and records, as may be necessary, until the completion of the public county buildings at said city of Youngstown: Provided, however, that no part or portion of the citizens of said Mahoning county shall be at any expense, or liable to any taxation, in consequence of the temporary offices at said city of Youngstown, outside of said city and township of Youngstown; and the said seat of justice and county seat shall not be deemed or considered to be permanently located at said city of Youngstown until said public county buildings shall have been completed; and provided further, that nothing in this act shall be construed to prevent or interfere with any right or interest which may revert to any citizen or citizens of said Canfield in consequence of such removal of the said seat of justice.

"Section 7. It shall be the duty of the sheriff, or coroner, as the case may be, to cause proclamation to be made to the qualified electors of said county of the time of holding said election, in the same manner as by law he is required to do in other elections, notifying said electors to vote as aforesaid on the questions by this act submitted to them.

"Section 8. The sections of this act subsequent to the first section shall take effect and be in force from and after their passage."

HIRAM MURLIN, SHELDEN NEWTON,
R. RAMSAY, S. A. WEST.

Mr. Holloway moved that the report of the committee be laid on the table.

Mr. Richards moved to amend the motion, so that the bill be printed.

Which was agreed to.

The amendment, as amended, was then agreed to, and the bill laid on the table.

On motion of Mr. Oren, the substitute for H. B. No. 55 was taken from the table, and recommitted to the committee of the Whole.

Mr. McCoy offered for adoption the following resolution:

H. J. R. No. 25: *Resolved by the General Assembly of the State of Ohio*, That there be and there is hereby authorized to be printed for distribution among the members for circulation three hundred extra copies of H. B. No. 203, believing that it tends towards the solution of the question in regard to the monopoly of printing school-books.

Mr. Heitmann moved to amend said resolution by striking out three hundred, and inserting six hundred.

Which was agreed to.

Mr. Howland moved to amend said resolution by striking out all after and including the word "believing."

Which was agreed to.

The question then being on the adoption of the resolution, the yeas and nays were ordered, and resulted—yeas 48, nays 5, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Guernsey, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Bay, Beach, Bell, Brooke, Case, Carnahan, Chapman of Meigs, Conklin, Conkright, Eshelman, Faxon, Harrison, Heitmann, Herron, Holloway, Howland, Huston, Inman, Johnson, Light, Mann, McCoy, McKinley, McLain, Myers of Ashland, Myers of Fayette, Neff, Oren, Parker, Pearson, Ramsay, Ray, Richards, Sater, Stone, Thompson of Montgomery, Van Meter, Varley, Vincent, Walker, Weible, West and Speaker—48.

Those who voted in the negative were—

Messrs. Armstrong of Belmont, Blake, Hodge, Loomis and Marx—5.

So the resolution was adopted.

The following bills were introduced on leave, and read the first time:

H. B. No. 208—By Mr. Chapman of Meigs: To amend an act entitled an act of the jurisdiction of justices of the peace, and of the duties of constables in civil courts, passed March 14, 1850.

H. B. No. 209—By Mr. Howland: To authorize the filling of vacancies in the board of trustees of townships.

H. B. No. 210—By Mr. Richards: To amend section 1 of an act entitled an act to exempt specific articles of personal property from execution, passed April 16, 1873.

H. B. No. 211—By Mr. Stone: To amend section 313 of the code of civil procedure, as amended April 18, 1870.

On motion of Mr. Holloway, the House took a recess.

HALF-PAST TWO O'CLOCK P.M.

Mr. Hodge moved to reconsider the vote whereby Mr. McCoy's resolution, in regard to the printing of extra copies of H. B. No. 203, was lost.

Which was agreed to.

The question then being on the adoption of said resolution, the yeas and nays were ordered, and resulted—yeas 63, nays 3, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barrett, Bay, Beach, Beatty, Bell, Brooke, Brunner, Case, Chapman of Meigs, Cole, Coler, Conklin, Conkright, Eidson, Eshelman, Faxon, Green, Hardy, Harrison, Hatfield, Heitmann, Herron, Hodge, Holloway, Huston, Inman, Johnson, Kemp, Lewis, Light, Mack, Mann, Martin, McCoy, McKinley, McLain, Miller, Myers of Ashland, Myers of Fayette, Nelson, Newton, Parker, Poe, Ramsay, Ray, Richards, Sater, Scott, Stone, Thompson of Montgomery, Tryon, Van Meter, Varley, Vincent, Walker, West, Williams and Speaker—63.

Messrs. Blake, Loomis and Marx voted in the negative.

So the resolution was adopted.

On motion of Mr. Miller, H. B. No. 7 was taken from the table, and further consideration of the bill postponed until to-morrow.

Mr. Richards, on leave, presented the petition of A. J. Beatty and 64 other citizens of Jefferson county, to amend an act passed April 16, 1873, so far as the same relates to the personal earnings of the debtor and of his or her minor child or children; and so as to exempt fifty per cent. of his or her earnings, or of the earnings of his or her minor child or children, for the time in said act named.

Which was referred to the committee on Judiciary.

Mr. Richards presented the petition of J. T. Campbell & Co., and 56 other citizens of Jefferson county, to amend an act passed April 16, 1873, so far as the same relates to the personal earnings of the debtor and of his or her minor child or children; and so as to exempt to such debtor fifty per cent. of his or her earnings, and of the earnings of his or her minor child or children, for the time in said act named.

Which was referred to the committee on Judiciary.

Mr. Conklin, on leave, submitted the following report:

The committee on Claims, to whom was referred the memorial of Bernard Ritter, having had the same under consideration, report by bill.

WM. T. CONKLIN, F. R. LOOMIS,
O. CASE, B. NEFF,
GEO. S. BAKER, O. B. CHAPMAN.
J. W. NELSON,

The following is the bill:

H. B. No. 212—By Mr. Conklin, from the committee on Claims: For the relief of Bernard Ritter.

Said bill was read the first time.

The following bill was introduced, and read the first time:

H. B. No. 213—By Mr. Haag: To limit the power of county commissioners in the construction of bridges.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The following bills have been introduced in the Senate, and read the first time:

S. B. No. 80—By Mr. Thompson: To amend section 52 of an act entitled an act prescribing the duties of county auditors, passed April 4, 1859. (S. & C., p. 108.)

S. B. No. 81—By Mr. Yeoman: To amend section 3 of the act entitled an act to provide for the semi-annual collection of taxes, passed April 2, 1859. (S. & C., 1476.)

S. B. No. 82.—By Mr. Kerr: To protect farmers, and further preserve birds and small game.

S. B. No. 83—By Mr. Goodhue: To protect surgeons and physicians against malicious or speculative prosecutions.

Attest: S. K. DONAVIN, *Clerk.*

MESSAGE FROM THE SENATE.

Mr. Speaker:

In accordance with instructions by the Senate, I herewith return to the House of Representatives S. B. No. 55, to amend the 11th section of an act entitled an act regulating the mode of administering assignments in trust for the benefit of creditors, passed and took effect April 6, 1859 (S. & C., Vol. 1, p. 711), as a correctly engrossed copy of said bill.

Attest: S. K. DONAVIN, *Clerk.*

On motion of Mr. Heitmann, said bill was returned to the Senate, with

a message that the House insist that inasmuch as said bill is partly written and partly printed, the same is not properly engrossed.

Mr. Scott moved that the House ask of the Senate a committee of conference on the subject of the engrossment of bills.

Which was agreed to.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has passed the following bills, in which the concurrence of the House of Representatives is requested:

S. B. No. 56—By Mr. Seitz: Supplementary to an act entitled an act relating to ditches, passed April 12, 1871. (O. L., Vol. 68, p. 60.)

S. B. No. 77—By Mr. Morris: Supplementary to the act entitled an act to regulate the election of State and county officers, passed May 3, 1852. (S. & C., 532.)

Attest: S. K. DONAVIN, *Clerk.*

S. B. No. 77, by Mr. Morris, was read the first time.

On motion of Mr. Scott, the constitutional rule requiring bills to be read on three separate days was dispensed with, and said S. B. No. 77 was read the second time by its title, and referred to the committee on the Judiciary.

On motion of Mr. Brunner, S. B. No. 56 was returned to the Senate, with a message requesting that a correctly engrossed bill be sent to the House.

On motion of Mr. Oren, the House resolved itself into committee of the Whole upon the orders of the day—Mr. Johnson in the chair. After some time spent therein on sundry bills, the committee rose, reported progress, and asked leave to sit again.

On motion of Mr. Brunner, the House adjourned.

Attest: THOMAS COUGHLIN, *Clerk.*

TUESDAY, FEBRUARY 17, 1874—10 o'clock A.M.

The House met pursuant to adjournment.

Prayer by Rev. J. L. Grover.

The Journal was read and approved.

Mr. Heitmann presented the remonstrance of R. G. Hanford, P. Ambos and 54 other citizens of Franklin county, remonstrating against the passage of H. B. No. 170.

Which was referred to the committee on Roads and Highways.

Mr. Haag presented the remonstrance of R. B. Heller and 137 other citizens of Henry county, against the passage of what is known as the Kemp game bill.

Which was referred to the committee on Agriculture.

Mr. Baker of Perry presented the petition of John P. Huston and 116 other citizens of Perry county, praying for a law preventing toll-gates being erected within less than three miles of any incorporated village or town within this State.

Which was referred to the committee on Corporations other than Municipal.

Mr. Baker of Perry presented the petition of J. D. Gruver and 100 other citizens of Perry county, praying for a law preventing toll-gates

being erected within a less distance than three miles of any incorporated village or town of this State.

Which was referred to the committee on Corporations other than Municipal.

Mr. Baker of Perry presented the petition of William Hamer and 35 other citizens of Perry county, praying for a law preventing toll-gates being erected within a less distance than three miles of any incorporated village or town of this State.

Which was referred to the committee on Corporations other than Municipal.

Mr. Parker presented the petition of W. W. McKnight and 500 other citizens of Brown and Highland counties, praying for the commissioners of said counties to be empowered to construct or complete eleven miles of turnpike road in said counties, being a part of the Hillsborough and Ripley road, of which six miles of said road is in Brown and five in Highland counties.

Which was referred to the committee on Turnpikes.

Mr. Grosvenor presented the remonstrance of W. R. Golden and 30 other citizens of Athens county, remonstrating against the passage of H. B. No. 35, making it a crime to hunt or shoot birds on the lands of another.

Which was referred to the committee on Agriculture.

Mr. Grosvenor presented the petition of R. D. Morgan and 75 other citizens of Athens county, praying that the Legislature will not pass any act impairing the efficiency of the Adair law.

Which was referred to the committee on Temperance.

Mr. Green presented the petition of E. S. Burnett and 45 other citizens of Shelby county, against the passage of H. B. No. 35, known as Kemp's bird bill.

Which was referred to the committee on Agriculture.

Mr. Green presented the remonstrance of John S. Simon and 119 other citizens of Darke county, against the passage of H. B. No. 132, for levying taxes in said county for the purchase of fair grounds.

Which was referred to the committee on Agriculture.

Mr. Robb presented the petition of Marshal Atmeer and 180 other citizens of Allen county, in favor of H. B. No. 101, to authorize the commissioners of Allen county to levy a tax for the purpose of purchasing and improving fair grounds.

Which was referred to the committee on Agriculture.

Mr. Robb presented the remonstrance of J. S. Fogle and 56 other citizens of Allen county, against the passage of H. B. No. 101, to authorize the commissioners of Allen county to levy a tax for the purpose of purchasing and improving fair grounds.

Which was referred to the committee on Agriculture.

Mr. Mann presented the petition of J. W. Morey and 49 other citizens of Royalton township, Fulton county, praying for the passage of a special act to enable sub-school district No. 5, in said township, to organize a special school district.

Which was referred to the committee on Common Schools and School Lands.

Mr. Munson presented the remonstrance of A. W. Miller and 174 other citizens of Hardin county, against any modification of the liquor laws of the State, and especially against the repeal of sections 7 and 10 of the Adair law.

Which was referred to the committee on Temperance.

Mr. Morris submitted the following report:

The committee on Revision have examined, and found correctly engrossed, House Bills Nos. 56, 104 and 63.

JON. MORRIS, GEO. W. BOYCE,
JOHNSON SHERRICK, E. B. PARKER,
WILLIAM M. MCKINLEY, ORVIL BLAKE.

Mr. Blake presented the petition of B. W. Gilbert and 35 other citizens of Edinburg, Portage county, for a reduction of taxes.

Which was referred to the committee on Fees and Salaries.

Mr. Case presented the petition of W. Stiers and 37 other citizens of Hocking county, asking the establishment of a joint sub-school district in Green and Starr townships.

Which was referred to the committee on Common Schools and School Lands.

Mr. Loomis presented the petition of J. W. Daykin and 36 other citizens of Medina county, asking for an amendment to the act entitled an act to exempt specific articles of personal property from execution, passed April 16, 1873, so as to exempt to such debtor fifty per cent. of his or her earnings, and the earnings of his or her minor children, for the time in said act named.

Which was referred to the committee on Judiciary.

Mr. Heitmann presented the remonstrance of Charles Becht and 83 other citizens of Franklin county, remonstrating against the passage of H. B. No. 170.

Which was referred to the committee on Roads and Highways.

Mr. Heitmann presented the remonstrance of Clark White, M. Herb and 78 other citizens of Franklin county, remonstrating against the passage of H. B. No. 170.

Which was referred to the committee on Roads and Highways.

The Speaker appointed as a committee of conference, on the order of the House, in regard to the engrossment of bills, Messrs. Eshelman, Scott and Brunner.

Mr. Scott moved that the vote by which the report of the trustees of the Northern Lunatic Asylum was referred be reconsidered, and that the report be laid on the table and ordered to be printed.

Which was agreed to.

The following communications were received from the Governor:

EXECUTIVE DEPARTMENT,
COLUMBUS, *February* 17, 1874.

To the General Assembly:

I have the honor to transmit a report of J. S. Newberry, late Chief Geologist, relating to the valuable material in the hands of the late Geological Board, which has not been embraced in any of the published volumes, and for the use of which no provision by law has been made. As the State has already paid the expense of securing this valuable matter, I respectfully recommend that provision be made for compiling and publishing the same.

Having but one copy of the report, I send it to the Senate.

Respectfully, W. ALLEN, *Governor.*

EXECUTIVE DEPARTMENT,
COLUMBUS, *February* 17, 1874.

To the General Assembly:

I have the honor herewith to transmit a communication addressed to the Governor from the honorable Secretary of the Treasury of the United

States, in reference to certain legislation which he deems necessary in the interest of navigation, to which is attached the form of an act that he has submitted to the several States, to secure uniformity in the legislation required.

I respectfully recommend that the request of the honorable Secretary be granted, and that the needed enactment be passed as soon as possible.

Having but one copy of the communication, I send it to the House of Representatives.

Respectfully,

W. ALLEN, *Governor.*

On motion of Mr. Scott, the communication was referred to the committee on Federal Relations.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The following bills have been introduced in the Senate, and read the first time:

S. B. No. 84—By Mr. Kerr: To repeal an act entitled an act to incorporate the Union Bridge Company, passed February 11, 1832. (O. L., Vol. 30, p. 291.)

S. B. No. 85—By Mr. Reid: To amend sections 52 and 53 of an act entitled an act to provide for the uniform government and better regulation of the lunatic asylums of the State, and the care of idiots and the insane, passed and took effect April 7, 1856.

Attest: S. K. DONAVIN, *Clerk.*

The following bills were read the second time:

H. B No. 196: For the protection of persons purchasing transportation tickets for passage on railway and steam navigation lines.

Referred to the committee on Railroads and Telegraphs.

H. B. No. 197: To provide for supplying United States courts in Ohio with the laws of the State.

Referred to the committee on Judiciary.

H. B. No. 198: To authorize the creation of a separate school district in Royalton township, Fulton county, Ohio.

Referred to the committee on Common Schools and School Lands.

H. B. No. 199: To authorize the board of education of Hocking township, Fairfield county, to issue bonds to raise money for erecting two new school-houses, and to levy a tax to pay said bonds.

Referred to the committee on Common Schools and School Lands.

H. B. No. 200: Relating to section 29, township 4, fractional range 1, Miami purchase, in the original surveyed township of Cincinnati, in the county of Hamilton.

Referred to the committee on the Judiciary.

H. B. No. 201: To authorize the trustees of Russell township, Geauga county, Ohio, to levy a tax for certain purposes therein named.

Referred to the committee on Corporations other than Municipal.

H. B. No. 202: To amend sections 306, 307, 318 and 325 of an act entitled an act to provide for the organization and government of municipal corporations, passed May 7, 1869.

Mr. Miller moved that the bill be referred to a select committee of ten.

Mr. Marx moved to refer said bill to the committee on Municipal Corporations.

Which was agreed to, and the bill so referred.

H. B. No. 104, to amend section 11 of an act for the reorganization and

maintenance of common schools, passed May 1, 1873, was read the third time.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 73, nays 2, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Armstrong of Guernsey, Baker of Fairfield, Baker of Perry, Barrett, Beach, Beatty, Bell, Blake, Boyce, Brooke, Case, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Cole, Coler, Conkright, Eidson, Eshelman, Faxon, Ford, Green, Grosvenor, Haag, Hardy, Haven, Heitmann, Herron, Hoagland, Hodge, Holloway, Holt, Huston, Inman, Johnson, Kemp, Lewis, Loomis, Mack, Mann, Marx, Martin, McCloud, McKinley, McLain, Mesloh, Miller, Morris, Munson, Myers of Fayette, Neff, Nelson, Newton, Norton, Parker, Pattison, Poe, Ray, Richards, Richmond, Robb, Scott, Sherrick, Stone, Thompson of Montgomery, Tryon, Van Meter, Varley, Vincent, Walker and Weible—73.

Messrs. Conklin and Howland voted in the negative.

So the bill passed. The title was agreed to.

Mr. Howland asked the unanimous consent of the House to take from the table H. B. No. 59.

Which was agreed to.

Mr. Grosvenor moved to refer the bill to the committee on Judiciary.

Which was disagreed to.

The amendments of the select committee of one—Mr. Howland—were then agreed to.

Mr. Howland then moved to amend said bill as follows:

In line fourteen, after the word "railroad," insert the following: "that is or may be used by the public." In line twenty-three strike out the words "a crossing," and insert "one of said crossings" In line seventy-one, after the word "fences," strike out the word "was," and insert "or a private crossing was or shall hereafter be." In line seventy-three, after the word "were," insert "or shall be." In line sixty-four, after the word "thereof," insert the following: "not exceeding the sum of twenty-five dollars." In line eight, after the word "act," insert the word "and." In line twenty-one, strike out the words "adjoining or," and insert the words "in one body."

Said amendments were agreed to.

Mr. Grosvenor moved to amend the bill as follows:

In line 58, after the word "road," add: "Provided, that whenever such railroad shall pass along the boundary of any inclosed farm or farms, separating such farm or farms from the lands of any other person or persons, the proprietor or proprietors of such inclosed farm or farms is hereby required to construct and keep in repair one-half of the fence along such farm boundary as is necessary to partition said inclosed farms from the railroads, and the construction and repair of the same may be enforced in the same manner as are the partition fences between two or more individual boundaries; provided, that in all cases when any fence is burned by fire from any engine the railroad company shall rebuild the same."

On motion of Mr. Sater, the House took a recess.

HALF-PAST TWO O'CLOCK P.M.

The House resumed the consideration of Mr. Grosvenor's amendment to H. B. No. 59.

The question being on agreeing to the amendment, the yeas and nays were demanded, taken, and resulted—yeas 23, nays 46, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Guernsey, Baker of Perry, Beach, Bell, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Eidson, Grosvenor, Haag, Heitmann, Herron, Mack, Mann, Martin, Miller, Neff, Norton, Richards, Sater, Stone, Williams and Speaker—23.

Those who voted in the negative were—

Messrs. Archer, Baker of Coshocton, Barrett, Bay, Blake, Brooke, Coler, Conklin, Conkright, Eshelman, Hardy, Harrison, Haven, Hoagland, Holloway, Holt, Howland, Inman, Kemp, Light, Loomis, Marx, McCloud, McKinley, McLain, Mesloh, Moorehead, Morris, Munson, Myers of Ashland, Myers of Fayette, Nelson, Newton, Oren, Poe, Ray, Robb, Scott, Sheppard, Sherrick, Thompson of Montgomery, Tryon, Van Meter, Varley, Vincent and Walker—46.

So the amendment was not agreed to.

Said bill was then ordered to be engrossed, and read the third time Thursday next.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has acceded to the request of the House of Representatives for a committee of conference on the subject matter of the disagreement between the two Houses relating to the engrossment of bills.

The President has appointed Messrs. Newman, Potter and Rukenbrod such committee on part of the Senate.

Attest: S. K. DONAVIN, *Clerk.*

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has concurred in the adoption of H. J. R. No. 25, relative to printing extra copies of H. B. No. 203.

Attest: S. K. DONAVIN, *Clerk.*

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has concurred in the passage of H. B. No. 121, to authorize the treasurer of Knox county to pay out of the treasury, upon the order of the county commissioners, certain funds derived from the stockholders of the Lake Erie Railroad Company, with the following amendment, in which the concurrence of the House of Representatives is requested:

Strike out all of section 1, after the word "and," in line nine, and insert the following words in lieu thereof, viz: "received by the treasurer of the county aforesaid, on said compromise, shall be placed to the credit of any one or more of the several funds of the aforesaid county as said commissioners may order."

Attest: S. K. DONAVIN, *Clerk.*

The question being on agreeing to the Senate amendment to said bill, the yeas and nays were demanded, ordered, and resulted—yeas 74, nays 1, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Armstrong of Guernsey, Baker of Coshocton, Barnett, Barrett, Bay, Bell, Blake, Boyce, Brooke, Case, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Cole, Coler, Conklin, Conkright, Eidson, Eshelman, Faxon, Ford, Green, Haag, Hardy,

Harrison, Haven, Heitmann, Herron, Hoagland, Holloway, Holt, Howland, Huston, Inman, Johnson, Kemp, Lewis, Loomis, Mack, Mann, McCloud, McKinley, Mesloh, Miller, Moorehead, Morris, Munson, Myers of Ashland, Myers of Fayette, Nelson, Newton, Norton, Oren, Ramsay, Ray, Richards, Richmond, Robb, Sater, Scott, Sheppard, Sherrick, Stone, Thompson of Montgomery, Tryon, Van Meter, Varley, Vincent, Walker, Watson, West and Williams—74.

Mr. Baker of Perry voted in the negative

So the amendment was agreed to.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has concurred in the passage of the following bills:

H. B. No. 105: To repeal an act entitled an act for encouragement of the Coshocton union school, passed March 19, 1851.

H. B. No. 52: To amend an act entitled an act for the reorganization and maintenance of common schools, passed May 1, 1873.

Attest: S. K. DONAVIN, *Clerk.*

The Speaker laid before the House the report of the Secretary of State in relation to H. R. No. 55.

Which, on motion of Mr. Scott, was referred to the committee on the Judiciary.

The Speaker also laid before the House the memorial of Josephus Tucker and 38 other citizens of Athens county, contesting the seat of Charles H. Grosvenor as a member of this House from Athens county, Ohio.

On motion of Mr. Haag, said memorial was referred to the committee on Privileges and Elections.

Mr. Boyce submitted the following report:

The committee on Revision have examined, and found correctly engrossed, H. B. No. 54.

GEO. W. BOYCE, JOHNSON SHERRICK,
JON. MORRIS, WM. M. MCKINLEY.

H. B. No. 56, for the protection of buoys in the the State of Ohio, was read the third time.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 74, nays 4, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Baker of Coshocton, Baker of Fairfield, Barnett, Barrett, Bay, Beatty, Bell, Blake, Boyce, Case, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Cole, Coler, Conklin, Conkright, Eidson, Eshelman, Faxon, Ford, Gordon, Green, Grosvenor, Haag, Hardy, Harrison, Haven, Herron, Holloway, Holt, Howland, Huston, Inman, Johnson, Lewis, Loomis, Mack, Mann, Marx, Martin, McCloud, McKinley, McLain, Mesloh, Miller, Moorehead, Morris, Munson, Myers of Ashland, Myers of Fayette, Nelson, Newton, Norton, Oren, Ramsay, Ray, Richards, Richmond, Robb, Sater, Scott, Sheppard, Sherrick, Stone, Thompson of Montgomery, Tryon, Van Meter, Varley, Vincent, Weible, West and Williams—74.

Messrs. Baker of Perry, Beach, Heitmann and Poe voted in the negative.

So the bill passed. The title was agreed to.

H. B. No. 63, to amend section 3 of an act entitled an act to prevent collisions on railroads within the State of Ohio, passed March 24, 1860, was read the third time.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 67, nays 4, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Guernsey, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Bay, Bell, Blake, Brooke, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Cole, Coler, Conklin, Conkright, Eshelman, Faxon, Gordon, Green, Grosvenor, Haag, Hardy, Harrison, Haven, Herron, Hoagland, Holloway, Howland, Huston, Inman, Johnson, Kemp, Lewis, Light Loomis, Mack, Mann, Marx, Martin, McCloud, McKinley, Miller, Moorehead, Morris, Munson, Myers of Ashland, Myers of Fayette, Neff, Nelson, Newton, Pearson, Poe, Ramsay, Ray, Richards, Robb, Sater, Scott, Sheppard, Sherrick, Stone, Tryon, Varley, Vincent, Watson and West—67.

Messrs. Archer, Beach, Holt and Mesloh voted in the negative.

So the bill passed. The title was agreed to.

The following bills were introduced and read the first time:

H. B. No. 214—By Mr. Heitmann: To amend section 1 of an act entitled an act supplementary to an act entitled an act authorizing the appointment of metropolitan police commissioners in cities of the first class with a population of less than one hundred thousand inhabitants at the last Federal census, passed April 5, 1866, as amended April, 1868, and March 11, 1872, and to repeal an act therein named, passed March 29, 1873.

H. B. No. 215—By Mr. Myers of Fayette: To authorize the county commissioners to levy a tax to keep in repair free turnpike roads.

H. B. No. 216—By Mr. Myers of Ashland: Relating to the infirmary of Ashland county.

H. B. No. 217—By Mr. Johnson: To amend section 141 of an act entitled an act to provide for the organization and government of municipal corporations, passed May 7, 1869.

H. B. No. 218—By Mr. Beatty: To amend section 32 of an act for the relief of the poor, and to repeal certain acts therein named.

H. B. No. 219—By Mr. Loomis: To authorize the purchase of additional lands for the use of the Blind Asylum.

Mr. Haag submitted the following report:

The committee on Judiciary, to whom was referred H. B. No. 27, supplementary to an act providing for the punishment of crimes, and of the several acts amendatory and supplementary thereto, having had the same under consideration, report it back, and recommend its engrossment and passage, with the following amendment: In lines 12 and 14 strike out the words "two dollars," and insert "one dollar and fifty cents."

J. M. Haag, J. M. Pattison,
J. Scott, C. C. Archer,
T. M. Robb, C. H. Grosvenor.
W. P. Howland,

The amendment was agreed to, and said bill was ordered to be engrossed, and read the third time Friday next.

Mr. Newton submitted the following report:

The committee on New Counties and County Affairs, to whom was referred H. B. No. 165, to create original fractional township eight (8), north, range twelve (12), east, in Wood county, Ohio, and the part of township three (3), United States Reserve, lying west of and between said township eight and Maumee river, into a separate civil township,

having had the same under consideration, report it back, and recommend its passage.

SHELDEN NEWTON, S. A. WEST,
E. M. WALKER, J. B. RAY.
R. RAMSAY,

Said bill was ordered to be engrossed, and read the third time Friday next.

Mr. Watson, from the committee on New Counties and County Affairs, made a minority report in regard to H. B. No. 90.

Which, on motion of Mr. Haag, was laid on the table, and ordered to be printed in the appendix to the Journal. (See appendix.)

Mr. Robb submitted the following report:

The committee on Judiciary, to whom was referred H. B. No. 127, to amend an act entitled an act to amend an act supplementary to an act defining the jurisdiction and regulating the practice of probate courts, passed March 4, 1853, as amended February 20, 1866, as amended March 10, 1873, having had the same under consideration, report it back, and recommend that it be indefinitely postponed.

T. M. ROBB, C. C. ARCHER,
W. P. HOWLAND, J. H. HEITMANN,
J. M. PATTISON, J. SCOTT,
C. H. GROSVENOR, J. M. HAAG.

On motion of Mr. Neff, said bill was laid on the table.

Mr. Ramsay submitted the following report:

The committee on New Counties and County Affairs, to whom was referred H. B. No. 167, supplementary to the act entitled an act prescribing the duties of county auditors, passed and took effect April 4, 1859, as amended January 11, 1873, having had the same under consideration, report it back, and recommend its passage.

R. RAMSAY, S. A. WEST,
SHELDEN NEWTON, J. B. RAY.
E. M. WALKER,

Said bill was ordered to be engrossed, and read the third time Friday next.

Mr. Archer submitted the following report:

The committee on Judiciary, to whom was referred S. B. No. 16, to amend the first section of an act entitled an act to provide for the proof, acknowledgment, and recording of deeds and other instruments of writing, passed February 21, 1831, took effect June 1, 1831, having had the same under consideration, report it back, and recommend its passage.

C. H. GROSVENOR, T. M. ROBB,
J. H. HEITMANN, W. P. HOWLAND,
J. SCOTT, J. M. PATTISON,
J. M. HAAG, C. C. ARCHER.

Said bill was ordered to be engrossed, and read the third time to-morrow.

Mr. Howland submitted the following report:

The committee on Finance, to whom was referred the petition of the trustees of the township of New London and 58 other citizens of said township, for authority to transfer moneys now in the township treasury of said township, raised by tax to build a railroad, under the Boesel law, to the school fund for said township, having had the same under consid-

eration, report it back, recommending that the prayer of said petitioners be granted by the engrossment and passage of the bill reported herewith.

W. P. Howland, J. M. Poe,
E. B. Eshelman, Geo. W. Boyce,
J. Scott, E. M. Green.
Geo. H. Ford,

The following is the bill:

H. B. No. 220—By Mr. Howland, from the committee on Finance: To authorize the trustees of the township of New London, Huron county, to transfer moneys raised by a tax to build a railroad to the school fund of said township.

Said bill was read the first time.

Mr. Robb submitted the following report:

The committee on Judiciary, to whom was referred H. B. No. 178, to transfer Shelby county from the first sub-division of the third judicial district to the second sub-division of said district, having had the same under consideration, report it back, with the recommendation that it be engrossed and passed.

T. M. Robb, J. M. Haag,
C. C. Archer, J. M. Pattison,
W. P. Howland, C. H. Grosvenor.
J. Scott,

The bill was ordered to be engrossed, and read the third time Friday next.

Mr. Case submitted the following report:

The committee on Common Schools and School Lands, to whom was referred H. B. No. 199, to authorize the board of education of Hocking township, Fairfield county, to issue bonds to raise money for erecting two new school-houses, and to levy a tax to pay said bonds, having had the same under consideration, report it back, with the recommendation that it be amended by striking out of section 2, lines 6, 7, 8, 9 and 10, and, as so amended, that it be engrossed and passed.

O. Case, H. G. Tryon,
A. W. Munson, Johnson Sherrick,
E. Martin, G. W. Light.

The amendment was agreed to.

Said bill was ordered to be engrossed, and read the third time to-morrow.

Mr. Holloway submitted the following report:

The committee on Insurance, to whom was referred Senate amendment to H. B. No. 2, having had the same under consideration, report it back, and recommend that the House concur therein.

C. C. Archer, E. Martin,
Benj. Myers, C. H. Grosvenor,
Wm. Bell, Jr., E. S. Holloway.
J. H. Heitmann,

The question being on agreeing to the Senate amendment to said bill, the yeas and nays were ordered, and resulted—yeas 62, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Guernsey, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Barrett, Beach, Beatty, Bell, Blake, Boyce, Brooke, Carnahan, Cole, Conklin, Eidson, Eshelman, Faxon, Green, Hardy, Harrison, Heitmann, Herron, Hoagland, Hodge, Hollo-

way, Howland, Inman, Johnson, Kemp, Loomis, Mack, Mann, Marx, Martin, McCloud, McKinley, McLain, Meslob, Miller, Moorehead, Morris, Munson, Myers of Ashland, Myers of Fayette, Nelson, Newton, Poe, Ray, Robb, Scott, Sheppard, Stone, Thompson of Montgomery, Tryon, Van Meter, Varley, Vincent, Watson, Weible and West—62.

So the amendment was agreed to.

Mr. Howland submitted the following report:

The committee on Corporations other than Municipal, to whom was referred S. B. No. 18, to enable manufacturing companies to capitalize their debts by increasing their capital stock and creating preference shares, and to repeal the act passed April 11, 1862, having had the same under consideration, report it back, with the recommendation that it be engrossed and passed, with the following amendments:

In section 1 strike out all of lines 17, 18 and 19; and strike out all of sections 3 and 4, and insert the following: "Section 3. This act shall take effect and be in force from and after it passage; and said act passed April 11, 1862 (S. & S., p. 168), be and the same is hereby repealed."

W. P. Howland, C. A. Coler,
J. H. Faxon, Wm. Van Meter,
Paul A. J. Huston, J. M. Poe.

The amendments were agreed to.

Said bill was ordered to be engrossed, and read the third time Thursday next.

Mr. Weible submitted the following report:

The committee on Ditches, Drains and Water-courses, to whom was referred H. B. No. 49, to extend the provisions of an act of the General Assembly of the State of Ohio, passed April 2, 1873, entitled an act to authorize the commissioners of Trumbull county to remove drift and timber from the river, in said county, so that the same shall be and have full force and effect in the county of Paulding, having had the same under consideration, report it back, and recommend its engrossment and passage.

N. Hatfield, J. H. Faxon,
H. Weible, W. H. Conkright.
T. M. Robb,

Said bill was ordered to be engrossed, and read the third time to-morrow.

On motion of Mr. McKinley, the House adjourned.

Attest: THOMAS COUGHLIN, *Clerk.*

Wednesday, February 18, 1874—10 o'clock A.M.

The House met pursuant to adjournment.

Prayer by the Rev. J. L. Grover.

The Journal was read and approved.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The following bills have been introduced in the Senate, and read the first time:

S. B. No. 86—By Mr. Hudson: To secure the wages of labor.

S. B. No. 87—By Mr. Hudson: To amend sections 9 and 10 of an act

entitled an act for the organization and government of municipal corporations, passed May 7, 1869. (O. L., Vol. 66, pp. 149–286.

Attest: S. K. DONAVIN, *Clerk.*

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has passed the following bill, in which the concurrence of the House of Representatives is requested:

S. B. No. 25—By Mr. Worthington: To amend the 2d section of an act entitled an act to amend the 1st and 2d sections of an act passed April 17, 1837, entitled an act to amend the 1st and 2d sections of an act entitled an act regulating descents and distributions of personal estates, passed March 14, 1853 (S. & C., 501), passed and took effect March 4, 1865. (S. & S., 304–305).

Attest: S. K. DONAVIN, *Clerk.*

Said bill was read the first time.

Mr. Pattison submitted the following report:

The joint committee on Enrollment have examined, and found correctly enrolled, the following bills:

S. B. No. 14: To establish a State board of centennial managers.

S. B. No. 22: To amend the 1st and 2d sections of the act entitled an act to authorize the board of education of the incorporated village of Wapakoneta, in the county of Auglaize, to borrow money and issue bonds to build a school-house, or additions to the school house in said town.

J. C. FISHER, HENRY HARDY,
S. KNOX, L. A. BRUNNER,
A. M. BURNS, O. B. CHAPMAN,
M. C. LAWRENCE, B. NEFF.
J. M. PATTISON, H. M. CHAPMAN.
E. B. PARKER,

The Speaker, in the presence of the House, signed said bills.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has passed the following bill, in which the concurrence of the House of Representatives is requested:

S. B. No. 60—By Mr. Potter: To authorize the city of Toledo, in the State of Ohio, to borrow money.

Attest: S. K. DONAVIN, *Clerk.*

Said bill was read the first time.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has concurred in the passage of H. B. No. 82, to amend an act entitled an act to prevent and punish the adulteration of milk and cheese, passed March 23, 1865, as amended March 14, 1871.

Attest: S. K. DONAVIN, *Clerk.*

Mr. Baker of Coshocton presented the petition of John Strouse and 240 other citizes of Coshocton and Knox counties, for an act authorizing the commissioners of said counties to build a bridge across the Mochican river at or near Rochester, Tiverton township, in the county of Coshocton.

Which was referred to the committee on Roads and Highways.

Mr. Holloway presented the remonstrance of H. H. Grafton and 84 other citizens of Madison township, Columbiana county, against the creation of a new sub-school district in said township.

Which was referred to the committee on Common Schools and School Lands.

Mr. Robb presented the petition of Gabriel Heffner and 168 other citizens of Allen county, in favor of the passage of H. B. No. 101, to authorize the commissioners of Allen county to levy a tax for the purpose of purchasing and improving fair grounds.

Which was referred to the committee on Agriculture.

Mr. Robb presented the remonstrance of J. W. Hunt and 33 other citizens of Allen county, against the passage of H. B. No. 101, to authorize the commissioners of Allen county to levy a tax for the purpose of purchasing and improving fair grounds.

Which was referred to the committee on Agriculture.

Mr. Bell presented the petition of Wm. S. Wright and 70 other citizens of Licking county, praying for the vacation of what is known as Granville feeder, in said county.

Which was referred to the committee on Public Works.

Mr. Parker submitted the following report:

The committee on Revision have examined, and found correctly engrossed, House Bills Nos. 31, 49, 54, 67, 86, 89, 102, 113, 136, 144, 154, 166 and 199.

E. B. Parker,	Jon. Morris,
Geo. W. Boyce	Orvil Blake.
Johnson Sherrick,	Wm. M. McKinley,

Mr. Weible presented the petition of Pierce M. Dix and 130 other citizens of Van Wert county, for the passage of H. B. No. 143, authorizing the commissioners of Van Wert county to build a court house.

Which was referred to the committee on Fees and Salaries.

Mr. Heitmann presented the remonstrance of H. Horlocher and 85 other citizens of Franklin county, against the passage of H. B. No. 170.

Which was referred to the committee on Roads and Highways.

Mr. Heitmann presented the remonstrance of J. R. Flowers and 72 other citizens of Franklin county, against the passage of H. B. No. 170.

Which was referred to the committee on Roads and Highways.

Mr. West presented the remonstrance of A. J. Harris and 256 other citizens of Clermont county, against the passage of any amendment to the Adair law, providing against the evils resulting from the sale of intoxicating liquors in the State of Ohio, that will weaken or impair its effect.

Which was referred to the committee on Temperance.

The following bills were read the second time:

H. B. No. 203: To authorize the appointment of commissioners to compile or prepare a series of text or school books for use in the common schools of the State of Ohio.

Referred to the committee of the Whole House.

H. B. No. 204: To amend section 16 of an act entitled an act to organize and regulate an independent militia, passed April 18, 1870.

Referred to the committee on Military affairs.

H. B. No. 205: To refund to the Ohio University certain funds in the State treasury, and to provide for the future payment of the claims of said University.

Referred to the committee on Universities and Colleges.

H. B. No. 206: To amend section 693 of the municipal code.

Referred to the committee on Municipal Corporations.

H. B. No. 207: To change the time for holding the second term of the court of common pleas for the year 1874 for the county of Ashland.

Referred to a select committee of one—Mr. Myers of Ashland.

Mr. Haag submitted the following report:

The committee on Judiciary, to whom was referred S. B. No. 77, supplementary to the act entitled an act to regulate the election of State and county officers, passed May 3, 1852, having had the same under consideration, report it back, and recommend its engrossment and passage.

J. M. HAAG, J. H. HEITMANN,
J. SCOTT, C. C. ARCHER,
J. M. PATTISON, T. M. ROBB,
WM. W. BEATTY, W. P. HOWLAND.
Q. H. GROSVENOR,

Said bill was ordered to be read the third time now; and was then read.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 74, nays 2, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Barrett, Beatty, Bell, Blake, Boyce, Brooke, Case, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Cole, Coler, Cooley, Conklin, Conkright, Eidson, Geghan, Gowey, Green, Grosvenor, Haag, Hardy, Haven, Heitmann, Herron, Hill, Hoagland, Hodge, Holloway, Holt, Howland, Huston, Inman, Kemp, Lewis, Light, Loomis, Mack, Mann, Martin, McKinley, McLain, Mesloh, Miller, Moorehead, Morris, Myers of Ashland, Myers of Fayette, Neff, Nelson, Newton, Pearson, Poe, Ray, Richards, Robb, Sater, Sheppard, Sherrick, Thompson of Montgomery, Tryon, Van Meter, Varley, Vincent, Walker, Watson, Weible, West and Williams—74.

Messrs. Marx and Parker voted in the negative.

So the bill passed. The title was agreed to.

S. B. No. 16, to amend the first section of an act entitled an act to provide for the proof, acknowledgment and recording of deeds and other instruments of writing, passed February 21, 1831, took effect June 1, 1831, was read the third time.

Mr. Howland moved to recommit said bill to the committee on Judiciary.

Which was agreed to.

H. B. No. 54, for the relief of Bedford township, Meigs county, Ohio, was read the third time.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 80, nays 4, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Armstrong of Guernsey, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Barrett, Bay, Beach, Beatty, Bell, Blake, Boyce, Brunner, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Cole, Coler, Cooley, Conkright, Eshelman, Faxon, Ford, Gowey, Grosvenor, Harrison, Haven, Heitmann, Herron, Hill, Hoagland, Hodge, Holloway, Holt, Howland, Inman, Johnson, Kemp, Lewis, Light, Loomis, Mack, Mann, Marx, Martin, McCloud, McKinley, McLain, Miller, Moorehead, Munson, Myers of Ashland, Myers of Fayette, Neff, Nelson, Newton, Norton, Parker, Pattison, Ramsay, Ray, Richards, Richmond, Robb, Sater, Scott, Sheppard, Sherrick, Thomp-

son of Montgomery, Tryon, Van Meter, Varley, Vincent, Walker, Watson, Weible, West and Williams—80.

Messrs. Green, Hardy, Huston and Mesloh voted in the negative.

So the bill passed. The title was agreed to.

H. B. No. 144, to amend sections 2 and 4 of an act entitled an act to amend sections 1, 2, 4, 5, 6 and 11 of an act entitled an act to authorize county commissioners to construct roads on a petition of a majority of the resident land-owners along and adjacent to the line of said road, and to repeal an act therein named, passed March 29, 1868, was read the third time.

Mr. Mack moved to refer said bill to a select committee of one, with instructions to amend as follows: Insert in line thirty-eight, after the word "either," the word "side."

Mr. Morris moved to amend the instructions as follows: In section 4, line twenty-eight, after the word "road," add the following: "Provided, that such assessments shall not be laid upon any lands not having direct connection to and interest in such road or highway."

Which was agreed to.

The question then being on the motion to recommit said bill to a select committee of one, with instructions to amend, the yeas and nays were ordered, and resulted—yeas 41, nays 30, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Armstrong of Guernsey, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Bay, Bell, Blake, Boyce, Brunner, Carnahan, Coler, Cooley, Conklin, Eidson, Faxon, Geghan, Grosvenor, Haven, Hodge, Holloway, Johnson, Loomis, Mack, Martin, Mesloh, Morris, Neff, Newton, Poe, Robb, Scott, Sherrick, Thompson of Montgomery, Tryon, Varley, Vincent, West and Williams—41.

Those who voted in the negative were—

Messrs. Baskin, Brooke, Case, Chapman of Meigs, Cole, Conkright, Eshelman, Green, Harrison, Herron, Hill, Hoagland, Holt, Howland, Huston, Inman, Kemp, Mann, McCloud, McKinley, Miller, Moorehead, Myers of Fayette, Nelson, Parker, Pattison, Sheppard, Walker, Watson and Weible—30.

So the motion to recommit was agreed to.

Mr. Mack was appointed said committee.

H. B. No. 136, to amend section 27 of an act entitled an act for opening and regulating roads and highways, passed January 27, 1853, was read the third time.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 80, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Armstrong of Guernsey, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Barrett, Baskin, Bay, Beach, Beatty, Bell, Blake, Boyce, Brooke, Case, Carnahan, Cole, Coler, Conkright, Eidson, Eshelman, Faxon, Gowey, Green, Grosvenor, Hardy, Harrison, Haven, Herron, Hill, Hoagland, Hodge, Holloway, Holt, Howland, Huston, Inman, Johnson, Kemp, Lewis, Light, Loomis, Mack, Mann, Marx, Martin, McCloud, McKinley, McLain, Mesloh, Miller, Moorehead, Morris, Myers of Ashland, Myers of Fayette, Neff, Nelson, Newton, Parker, Pattison, Poe, Ramsay, Ray, Richards, Robb, Sater, Scott, Sheppard, Sherrick, Thompson of Montgomery, Tryon, Van Meter, Varley, Vincent, Walker, Weible, West and Williams—80.

So the bill passed. The title was agreed to.

On motion of Mr. Eshelman, the House took a recess.

HALF-PAST TWO O'CLOCK P.M.

H. B. No. 113, to authorize the trustees of Avon township, Lorain county, to levy a tax for certain purposes therein named, was read the third time.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 67, nays 11, as follows:

Those who voted in the affirmative were—

Messrs Archer, Armstrong of Belmont, Armstrong of Guernsey, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barrett, Beach, Beatty, Bell, Blake, Brooke, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Coler Cooley, Conklin, Duncan, Eidson, Eshelman, Faxon, Geghan, Gowey, Grosvenor, Haag, Hardy, Harrison, Haven, Herron, Hodge, Holloway, Holt, Johnson, Kemp, Lewis, Light, Loomis, Mack, Mann, Marx, Martin, McCoy, McLain, Mesloh, Miller, Munson, Myers of Ashland, Myers of Fayette, Nelson, Norton, Pattison, Ramsay, Ray, Richmond, Robb, Scott, Sheppard, Sherrick, Thompson of Montgomery, Van Meter, Varley, Walker, Watson, Weible, West and Williams—67.

Those who voted in the negative were—

Messrs. Baskin, Case, Green, Hoagland, Howland, McCloud, McKinley, Parker, Poe, Sater and White—11.

So the bill passed. The title was agreed to.

H. B. No. 89, to authorize the trustees of Copley township, Summit county, to levy a tax for certain purposes mentioned therein, was read the third time.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 65, nays 11, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Armstrong of Guernsey, Baker of Coshocton, Barrett, Beach, Beatty, Bell, Blake, Brooke, Brunner, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Coler, Cooley, Duncan, Eidson, Eshelman, Faxon, Geghan, Gowey, Grosvenor, Hardy, Harrison, Haven, Herron, Hill, Hodge, Holloway, Holt, Inman, Johnson, Kemp, Light, Loomis, Mack, Mann, Marx, Martin, McKinley, McLain, Mesloh, Miller, Morris, Munson, Myers of Ashland, Myers of Fayette, Nelson, Norton, Pattison, Richards, Richmond, Robb, Scott, Sheppard, Sherrick, Thompson of Montgomery, Tryon, Van Meter, Varley, Vincent, Walker, Watson and West—65.

Those who voted in the negative were—

Messrs. Baker of Perry, Baskin, Case, Haag, Hoagland, Howland, McCloud, Parker, Poe, Sater and White—11.

So the bill passed. The title was agreed to.

H. B. No. 102, to authorize the commissioners of Guernsey county to transfer to the townships of Beaver, Buffalo, Seneca and Wayne, in Noble county, certain railroad stocks held by said Guernsey county, and the payment to said townships of dividends received by said county on said stock, also all the taxes collected by said county on a certain amount of said railroad lying and being in said Noble county, was read the third time.

Mr. Van Meter moved to recommit said bill to a select committee of one, with instructions to amend as follows: Strike out all pertaining to the transfer of stock.

Which was agreed to, and Mr. Van Meter appointed said committee.

H. B. No. 86, to prevent dangerous interference with steam boilers, was read the third time.

Mr. Marx moved to recommit said bill to the committee on Manufactures and Commerce.

Which motion was disagreed to.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 86, nays 3, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Armstrong of Guernsey, Baker of Coshocton, Baker of Fairfield, Barnett, Barrett, Baskin, Bay, Beach, Beatty, Bell, Blake, Boyce, Brooke, Brunner, Case, Chapman of Cuyahoga, Chapman of Meigs, Cole, Coler, Cooley, Conklin, Conkright, Duncan, Eidson, Eshelman, Faxon, Ford, Gowey, Grosvenor, Haag, Harrison, Haven, Heitmann, Herron, Hill, Hoagland, Hodge, Holloway, Howland, Huston, Inman, Johnson, Kemp, Lewis, Light, Loomis, Mack, Mann, Martin, McCoy, McKinley, McLain, Mesloh, Moorehead, Morris, Munson, Myers of Ashland, Myers of Fayette, Neff, Nelson, Newton, Norton, Parker, Pattison, Ramsay, Ray, Richards, Richmond, Robb, Sater, Scott, Sheppard, Sherrick, Thompson of Montgomery, Tryon, Van Meter, Varley, Vincent, Walker, Watson, Weible, West, White and Williams—86.

Messrs. Baker of Perry, Carnahan and Marx voted in the negative.

So the bill passed. The title was agreed to.

H. B. No. 154, to repeal a certain act therein named, was read the third time.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 50, nays 42, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Armstrong of Guernsey, Baker of Coshocton, Baker of Perry, Barnett, Bay, Beach, Bell, Boyce, Brooke, Brunner, Chapman of Cuyahoga, Cole, Coler, Cooley, Conkright, Duncan, Eshelman, Ford, Geghan, Green, Grosvenor, Haag, Haven, Heitmann, Hodge, Holt, Howland, Huston, Inman, Johnson, Lewis, Light, Loomis, McCoy, McKinley, Mesloh, Nelson, Newton, Norton, Parker, Richmond, Robb, Sater, Thompson of Montgomery, Tryon, Walker, Weible and White—50.

Those who voted in the negative were—

Messrs. Baker of Fairfield, Barrett, Baskin, Beatty, Bell, Blake, Case, Carnahan, Chapman of Meigs, Conklin, Eidson, Hardy, Harrison, Herron, Hill, Hoagland, Kemp, Mack, Mann, Marx, Martin, McCloud, McLain, Moorehead, Morris, Munson, Murlin, Myers of Fayette, Neff, Pattison, Poe, Ramsay, Ray, Richards, Scott, Sheppard, Sherrick, Van Meter, Varley, Vincent, Watson and West—42.

So the bill, having failed to receive a constitutional majority, was lost.

Mr. Case moved to reconsider the vote by which H. B. No. 56 was passed.

Mr. Poe moved to lay the motion to reconsider on the table.

Which was disagreed to.

Mr. McCoy moved that a message be sent to the Senate requesting the return of H. B. No. 56.

Which motion was agreed to, and the message sent accordingly.

Mr. Chapman submitted the following report:

The joint committee on Enrollment have examined, and found correctly enrolled, the following joint resolution:

H. J. R. 10: Relative to printing the report of the Secretary of State.

O. B. CHAPMAN,	H. M. CHAPMAN,
J. M. PATTISON,	J. C. FISHER,
L. A. BRUNNER,	S. KNOX,
E. B. PARKER,	M. C. LAWRENCE.
HENRY HARDY,	A. M. BURNS,

The Speaker, in the presence of the House, signed said joint resolution.

Mr. Parker submitted the following report:

The joint committee on Enrollment have examined, and found correctly enrolled, the following bill:

H. B. No. 98: To amend section 47 of an act entitled an act for the reorganization and maintenance of common schools, passed May 1, 1873.

E. B. PARKER, H. M. CHAPMAN,
J. M. PATTISON, A. M. BURNS,
L. A. BRUNNER, J. C. FISHER,
HENRY HARDY, M. C. LAWRENCE,
O. B. CHAPMAN, S. KNOX.

The Speaker, in the presence of the House, signed said bill.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has concurred in the passage of the following bills:

H. B. No. 5: To provide for the sufficiency of evidence in certain cases.

H. B. No. 39: To amend section 104 of an act entitled an act to establish a code of criminal procedure for the State of Ohio, passed May 6, 1869, as amended January 5, 1871.

Attest: S. K. DONAVIN, *Clerk.*

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has concurred in the passage of H. B. No. 15, to authorize the Treasurer of State to cancel and return the bonds in his custody issued by the authority and in pursuance of an act of the General Assembly entitled an act to authorize counties, cities, incorporated villages and townships to build railroads, and to lease and operate the same, passed April 23, 1872, and the acts amendatory thereof and supplementary thereto, passed March 31, 1873, and to repeal said several acts, after amending the same as follows:

In line 3 strike out all after the word "required." and insert the words "upon the proper demand."

In line 4 strike out the word "to," and insert the word "for."

In line 5, after the word "be," insert the words "to cancel and return."

Strike out all from line 21 to line 29 inclusive, and supply the following: "The Treasurer of State shall take proper vouchers for the redelivery of said bonds, and record the same upon the register or record of said bonds kept in his office."

Attest: S. K. DONAVIN, *Clerk.*

The question being on agreeing to the Senate amendments to said bill, the yeas and nays were ordered, and resulted—yeas 78, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Armstrong of Guernsey, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Barrett, Baskin, Bay, Beatty, Bell, Blake, Boyce, Brooke, Brunner, Case, Chapman of Cuyahoga, Cole, Coler, Cooley, Conklin, Conkright, Duncan, Eidson, Eshelman, Faxon, Geghan, Green, Grosvenor, Haag, Hardy, Haven, Heitmann, Herron, Hodge, Holloway, Holt, Huston, Johnson, Kemp, Lewis, Loomis, Mann, Marx, McCloud, McCoy, McKinley, McLain, Moorehead, Morris, Munson, Myers of Ashland, Myers of Fayette, Nelson, Newton, Norton, Pattison, Poe, Ramsay, Ray, Richards, Richmond, Robb, Sater, Scott,

Sherrick, Thompson of Montgomery, Tryon, Van Meter, Varley, Vincent, Walker, Watson, Weible, West, White and Williams—78.

So the amendments were concurred in.

H. B. No. 166, authorizing the creation of an additional sub-school district in Madison township, Columbiana county, was read the third time.

Mr. Richards moved to recommit said bil to a select committee of one, with instructions to amend as follows: In section 4, line 3, add after the word "dollars," "said bonds bearing interest at a rate not exceeding eight per cent. per annum."

Which was agreed to, and Mr. Richards appointed said committee, who, on leave, reported the bill back, amended as instructed.

The question then being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 54, nays 21, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Armstrong of Guernsey, Baker of Coshocton, Beach, Beatty, Bell, Blake, Brunner, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Cole, Coler, Cooley, Conkright, Duncan, Faxon, Ford, Grosvenor, Heitmann, Herron, Hill, Hodge, Holloway, Holt, Huston, Johnson, Lewis, Light, Loomis, Mack, Mann, Marx, Martin, McKinley, Mesloh, Moorehead, Morris, Munson, Myers of Ashland, Myers of Fayette, Neff, Pearson, Ray, Richards, Richmond, Robb, Tryon, Van Meter, Varley, West and White—54.

Those who voted in the negative were—

Messrs. Baker of Fairfield, Baker of Perry, Barnett, Baskin, Brooke, Case, Conklin, Eidson, Eshelman, Geghan, Green, Hoagland, Kemp, McCloud, Miller, Norton, Poe, Sater, Sheppard, Vincent and Weible—21.

So the bill passed. The title was agreed to.

Mr. Loomis moved to reconsider the action of the House in regard to the commitment of H. B. No. 144.

Which was agreed to.

Mr. Loomis then moved to reconsider the amendment to the instructions offered by Mr. Morris.

Which was agreed to.

The question then being on referring said bill to a select committee of one, with instructions to insert in line 38, after the word "either," the word "side," it was agreed to, and Mr. Mack appointed said committee.

Mr. Mack, on leave, submitted the following report:

The select committee of one, to whom was referred H. B. No. 144, having had the same under consideration, report it back, amended as instructed.

H. H. MACK.

Mr. Beatty moved that the bill be laid upon the table.

Which was disagreed to.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 66, nays 16, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Armstrong of Guernsey, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Bay, Beach, Blake, Boyce, Brooke, Brunner, Carnahan, Chapman of Cuyahoga, Cole, Coler, Cooley, Conklin, Conkright, Duncan, Eidson, Eshelman, Faxon, Ford, Green, Haven, Heitmann, Herron, Hill, Holloway, Holt, Howland, Johnson, Light, Loomis, Mack, Mann, McKinley, Mesloh, Miller, Moorehead, Munson, Myers of Fayette, Neff, Newton, Norton, Parker, Pattison,

Pearson, Poe, Ramsay, Ray, Richards, Robb, Sater, Thompson of Montgomery, Tryon, Van Meter, Varley, Walker, Watson, Weible, West, White and Williams—66.

Those who voted in the negative were—

Messrs. Baskin, Beatty, Bell, Brooke, Case, Grosvenor, Hoagland, Kemp, Lewis, Marx, Martin, McCloud, Morris, Richmond, Sheppard and Vincent—16.

So the bill passed. The title was agreed to.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has agreed to the report of the committee of conference on the subject matter relating to the engrossment of bills.

Attest: S. K. DONAVIN, *Clerk.*

Mr. Eshelman submitted the following report:

The committee of conference between the two Houses to whom was referred the matter of difference on the subject of engrossment of bills, have had the same under consideration, and, in a spirit of compromise, have agreed upon the following report, in which they ask the concurrence of the Senate and House.

1st. That all bills now engrossed and passed by the Senate shall be received by the House as properly engrossed; and that all bills engrossed and passed by the House shall be received by the Senate as properly engrossed.

2d. That hereafter printed bills passed by either House without amendment shall be considered in the other House as properly engrossed in the printed form. All other bills and joint resolutions shall be fully engrossed in a plain engrossing hand.

E. B. ESHELMAN,
J. SCOTT,
L. A. BRUNNER,
House Committee.
EMERY D. POTTER,
JAS. W. NEWMAN,
J. K. RUKENBROD,
Senate Committee.

The report was agreed to.

On motion of Mr. Light, the third reading of H. B. No. 67 was postponed until to-morrow.

Mr. Neff submitted the following report:

The joint committee on Enrollment have examined, and found correctly enrolled, the following bill:

H. B. No. 112: Relating to the purchase of books, maps, and other educational appliances for the blind.

B. NEFF, J. C. FISHER,
H. M. CHAPMAN, S. KNOX,
HENRY HARDY, A. M. BURNS,
L. A. BRUNNER, M. C. LAWRENCE.
J. M. PATTISON,

The Speaker, in the presence of the House, signed said bill.

Leave of absence until Monday next was granted the committee on Insane Asylums.

Mr. Baker of Fairfield moved that the House take a recess until to-morrow at 10 o'clock A.M.

Mr. Neff moved that the House do now adjourn.

Which was disagreed to.

The question then recurring on Mr. Baker's motion to take a recess, it was agreed to; and the House took a recess until 10 o'clock A.M. to-morrow.

THURSDAY, FEBRUARY 19, 1874—10 o'clock A.M.

The House met pursuant to recess.

Prayer by the Rev. J. L. Grover.

Leave of absence was granted to the committee on Deaf and Dumb and Imbecile Asylums for this day.

Mr. White presented the remonstrance of W. F. Brokaw and 236 other citizens of Galion, Crawford county, Ohio, against the passage of H. B. No. 35, known as the notorious Kemp bird bill.

Which was referred to the committee on Agriculture.

Mr. White presented the petition of D. C. Boyer and 49 other citizens of Crawford county, praying for the passage of H. B. No. 35, known as the Kemp bird bill.

Which was referred to the committee on Agriculture.

Mr. White presented the petition of W. W. Miller and 15 other citizens of Crawford county, asking for a change in the county ditch law.

Which was referred to the committee on Ditches, Drains and Water-courses.

Mr. Oren presented the petition of Estella Trickey and 150 other ladies, and Rev. W. A. Saxton and 100 other gentlemen of Blanchester, Clinton county, asking that the Legislature pass no law that will in anywise impair the efficiency of the existing laws with reference to the manufacture and sale of intoxicating liquors.

Which was referred to the committee on Temperance.

Mr. Eidson moved to reconsider the vote by which H. B. No. 154 was lost yesterday.

Which was agreed to; and, on his motion, the further consideration of said bill was postponed until Wednesday next.

H. B. No. 67, to more effectively provide for locating, establishing and constructing ditches, drains and water-courses in townships, and to repeal certain acts therein named, was read the third time.

Mr. Munson moved to reconsider the question of the engrossment and ordering of the bill to third reading.

Mr. Mann moved to postpone the bill and the motion to reconsider until Wednesday next.

Which was disagreed to.

The question then recurring upon the motion to reconsider, it was disagreed to.

Mr. Light then moved to commit the bill to a select committee of one, with instructions to amend as follows:

Strike out the word "seventh," in section 16, line two, and insert the word "fifteenth"; strike out the word "five," in section 17, line fifteen, and insert the word "nine"; after the word "him," in section 3, line twenty-one, insert the following words: "by mail, if such residence be known by the clerk; and if such residence be not known by the said clerk, then."

Which amendments were agreed to, and Mr. Light appointed said committee, who, on leave, reported the bill back, amended as instructed.

Said bill was then ordered to be re-engrossed, and the further consideration postponed until Wednesday next.

Mr. Boyce submitted the following report:

The committee on Revision have examined, and found correctly engrossed, House Bills Nos. 25 and 59, and the amendments to S. B. No. 18.

GEO. W. BOYCE, WM. M. MCKINLEY,
JON. MORRIS, E. B. PARKER,
ORVIL BLAKE, JOHNSON SHERRICK.

Mr. Pattison submitted the following report:

The joint committee on Enrollment have examined, and found correctly enrolled, the following joint resolution:

H. J. R. No. 25: Relative to printing extra copies of H. B. No. 203.

J. M. PATTISON, E. B. PARKER,
L. A. BRUNNER, M. C. LAWRENCE,
HENRY HARDY, S. KNOX,
H. M. CHAPMAN, A. M. BURNS,
B. NEFF, J. C. FISHER.

The Speaker, in the presence of the House, signed said resolution.

H. B. No. 31, to amend section 1 of an act entitled an act to amend sections 66, 67 and 70 of the act entitled an act to provide for the creation and regulation of incorporated companies in the State of Ohio, passed May 1, 1852, and to repeal a certain act amendatory thereto, passed and took effect January 26, 1865, was read the third time.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 61, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Bay, Beatty, Bell, Blake, Boyce, Brooke, Chapman of Cuyahoga, Cole, Coler, Cooley, Eidson, Eshelman, Faxon, Geghan, Green, Grosvenor, Haag, Harrison, Haven, Heitmann, Hill, Hodge, Holt, Howland, Huston, Inman, Johnson, Mack, Mann, Martin, McCloud, McKinley, Mesloh, Miller, Munson, Myers of Fayette, Neff, Oren, Parker, Pattison, Ray, Richmond, Robb, Sater, Scott, Sherrick, Stone, Thompson of Montgomery, Van Meter, Varley, Vincent, Walker, Watson, Weible, West and Williams—61.

So the bill passed. The title was agreed to.

Leave of absence for to-morrow was granted Mr. Bell and the other members of the committee on Public Works.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has indefinitely postponed H. B. No. 47, to amend section 92 of an act entitled an act of the jurisdiction and procedure before justices of the peace, and of constables in civil courts, passed March 14, 1853.

Attest: S. K. DONAVIN, *Clerk.*

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate accedes to the request of the House of Representatives, and herewith returns H. B. No. 56, for the protection of buoys in the State of Ohio.

Attest: S. K. DONAVIN, *Clerk.*

On motion of Mr. Richmond, the motion to reconsider H. B No. 56 was taken from the table.

The question then being on the motion to reconsider, it was not agreed to.

On motion of Mr. Thompson of Montgomery, said bill was ordered to be returned to the Senate.

On motion of Mr. Geghan the House took a recess.

HALF-PAST TWO O'CLOCK P.M.

Mr. Oren, on leave, moved that the committee of the Whole be discharged from the further consideration of H. B. No. 55.

Which was unanimously agreed to.

On motion of Mr. Oren, said bill was then referred to a select committee of seven—Messrs. Watson, Oren, Light, Scott, Howland, Baskin and West.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The following bills have been introduced in the Senate, and read the first time:

S. B. No. 88—By Mr. Laughlin: To amend section 21 of an act entitled an act to amend sections 18 and 21 of the act relating to roads and highways, passed March 9, 1868 (S. & S., p. 670), as amended April 8, 1868. (65 O. L., p. 78.)

S. B. No. 89—By Mr. Butterworth: To amend an act entitled an act to establish a code of criminal procedure for the State of Ohio, passed May 6, 1869. (O. L., Vol. 66, p. 287.)

S. B. No. 90—By Mr. Burton: To amend sections 1 and 2 of an act entitled an act to amend an act entitled an act to regulate the standard per bushel of stone-coal and the measure of cord-wood (S. & S., p. 927), and to re-number section 3 and repeal sections 1 and 2, passed April 29, 1872.

Attest: S. K. DONAVIN, *Clerk.*

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has passed the following bills, in which the concurrence of the House of Representatives is requested:

S. B. No. 55—By Mr. Ferrall: To amend the 11th section of an act entitled an act regulating the mode of administering assignments in trust for the benefit of creditors, passed and took effect April 6, 1859. (S. & C., Vol. 1, p. 711.)

S. B. No. 56—By Mr. Seitz: Supplementary to an act relating to ditches, passed April 12, 1871. (O. L., Vol. 68, p. 60.)

Attest: S. K. DONAVIN, *Clerk.*

Said bills were read the first time.

The Speaker laid before the House a communication from the trustees of the Central Lunatic Asylum, in answer to H. R. No. 60; which, on motion of Mr. Scott, was laid on the table and ordered to be printed.

The Speaker also laid before the House a communication from the Auditor of State.

Mr. Scott moved that the communication be laid on the table, and that it be printed.

Mr. Haag moved to amend the motion by adding after the word "printed" the words "before other matter."

Which was agreed to.

Mr. Scott's motion, as amended, was then agreed to.

H. B. No. 199, to authorize the board of education of Hocking township, Fairfield county, to issue bonds to raise money for erecting two new school-houses, and to levy a tax to pay said bonds, was read the third time.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 77, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Armstrong of Guernsey, Baker of Coshocton, Baker of Fairfield, Barrett, Baskin, Bay, Beach, Beatty, Bell, Blake, Boyce, Brooke, Carnahan, Chapman of Cuyahoga, Cole, Coler, Cooley, Conklin, Duncan, Eidson, Faxon, Ford, Geghan, Gordon, Grosvenor, Haag, Hardy, Harrison, Haven, Heitmann, Hill, Hodge, Holloway, Holt, Howland, Huston, Inman, Johnson, Light, Mack, Mann, Martin, McCloud, McKinley, Mesloh, Miller, Moorehead, Morris, Munson, Myers of Fayette, Neff, Newell, Newton, Oren, Parker, Pattison, Poe, Ramsay, Ray, Richmond, Robb, Sater, Scott, Sheppard, Sherrick, Stone, Thompson of Montgomery, Tryon, Van Meter, Varley, Vincent, Walker, Watson, Weible and Williams—77.

So the bill passed. The title was agreed to.

Mr. Pattison submitted the following report:

The joint committee on Enrollment have examined, and found correctly enrolled, the following bills and joint resolution:

S. B. No. 11: To authorize the commissioners of Washington county to establish and construct a public road in Belpre township of said county.

S. B. No. 23: For the relief of the county treasury of Richland county, Ohio.

S. J. R. 19: Authorizing the employment of a clerk by the select committee on the Central Lunatic Asylum expenditures.

J. C. Fisher,	Henry Hardy,
M. C. Lawrence,	L. A. Brunner,
A. M. Burns,	O. B. Chapman,
S. Knox,	H. M. Chapman,
B. Neff.	J. M. Pattison.
E. B. Parker,	

The Speaker, in the presence of the House, signed said bills and joint resolution.

On motion of Mr. Miller, H. B. No. 14, to amend section 2 of an act entitled an act to regulate the election of State and county officers, passed May 3, 1852, a special order for this day, was taken from the table.

The bill having been previously read the third time, and the question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 72, nays 1, as follows:

Those who voted in the affirmatlve were—

Messrs. Archer, Armstrong of Belmont, Armstrong of Guernsey, Baker of Coshocton, Baker of Fairfield, Barnett, Barrett, Baskin, Bay, Beach, Beatty, Bell, Blake, Boyce, Brooke, Carnahan, Chapman of Cuyahoga, Cole, Coler, Cooley, Conklin, Duncan, Eidson, Faxon, Ford, Geghan, Gordon, Grosvenor, Hardy, Harrison, Haven, Heitmann, Hill, Hoagland, Hodge, Holloway, Huston, Inman, Johnson, Light, Mack, Mann, Martin, McCloud, McKinley, Mesloh, Miller, Moorehead, Munson, Myers of Fayette, Neff, Newell, Newton, Pattison, Ramsay, Ray, Richmond, Robb, Sater,

Scott, Sheppard, Sherrick, Stone, Thompson of Montgomery, Tryon, Varley, Vincent, Walker, Watson, Weible, West and Williams—72.

Mr. Poe voted in the negative.

So the bill passed.

Mr. Miller moved to amend the title as follows: "An act to amend section 10 of an act supplementary to an act to provide for the organization and government of municipal corporations, passed February 10, 1870."

Which was agreed to; and the title, as amended, was then agreed to.

H. B. No. 49, to extend the provisions of an act of the General Assembly of the State of Ohio, passed on the 2d day of April, 1873, entitled an act to authorize the commissioners of Trumbull county to remove drift and timber from the river in said county, so that the same shall be and have full force and effect in the county of Paulding, was read the third time.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 76, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Armstrong of Guernsey, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barrett, Baskin, Bay, Beach, Beatty, Bell, Blake, Boyce, Brooke, Carnahan, Chapman of Cuyahoga, Cole, Coler, Cooley, Conklin, Duncan, Eidson, Faxon, Ford, Geghan, Gordon, Grosvenor, Hardy, Harrison, Haven, Heitmann, Hill, Hoagland, Hodge, Holloway, Holt, Howland, Huston, Inman, Johnson, Light, Mack, Mann, Martin, McCoud, McKinley, Mesloh, Miller, Moorehead, Morris, Munson, Myers of Fayette, Neff, Newton, Oren, Pattison, Poe, Ramsay, Ray, Richmond, Robb, Sater, Scott, Sheppard, Sherrick, Thompson of Montgomery, Tryon, Van Meter, Varley, Vincent, Walker, Watson, Weible, West and Williams—76.

So the bill passed. The title was agreed to.

On motion of Mr. Walker, H. B. No. 132, a special order for this day, was taken from the table.

Mr. West moved to refer the bill to a select committee of one, with instructions to amend as follows:

After the word "purpose," in line 5 of section 1, add: "and provided also, that before the commissioners shall levy said tax, they shall submit the question of taxation to the qualified voters of said county, to be voted upon at some regular election, of which at least fifteen days' notice shall be given by publication in one or more papers published in the county and of general circulation therein. The electors voting at said election shall have written or printed upon their ballots the words 'For tax—Yes,' or 'For tax—No;' and if a majority of the electors voting at said election upon the question submitted shall vote 'For tax—Yes,' then said commissioners shall proceed as herein directed."

Which was agreed to, and Mr. West appointed said committee, who, on leave, reported the bill back, amended as instructed.

Said bill was then ordered to be re-engrossed, and read the third time Wednesday next.

Mr. Grosvenor offered the following resolution, which was adopted:

H. R. No. 72: *Resolved*, That the Auditor of State be requested to furnish this House the following information, or so much thereof as may be in his possession:

1. How many tracts or parcels of the Ohio University leasehold lands in the townships of Athens and Alexander, in Athens county, have been surrendered under the leases, and for which the owners have taken deeds?

2. The dates of the several deeds.

3. The amount of State taxes collected upon said lands since such deeds were made, giving amounts for each year separately.

4. Whether any portion of such taxes has been refunded to the University.

5. The valuation at this time for taxation of such lands.

On motion of Mr. Bell, H. B. No. 62, to authorize the Board of Public Works to lower three or more culverts along the National road, between the villages of Etna and Wagram, in Licking county, a special order for this day, was taken up in advance of other bills for third reading.

Mr. Thompson of Montgomery moved to recommit said bill to a select committee of one, with instructions to amend as follows: Strike out the words "and directed" from line 2, after the word "authorize."

Which was not agreed to.

The question then being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 54, nays 20, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Baskin, Beach, Bell, Boyce, Brooke, Cole, Coler, Cooley, Conklin, Ford, Geghan, Gordon, Grosvenor, Haag, Hardy, Harrison, Haven, Heitmann, Hoagland, Hodge, Holt, Howland, Huston, Inman, Johnson, Light, Martin, McCloud, McKinley, Mesloh, Miller, Moorehead, Newell, Oren, Parker, Poe, Ray, Richmond, Robb, Sater, Sheppard, Sherrick, Stone, Thompson of Montgomery, Tryon, Van Meter, Walker, Weible, West and Speaker—54.

Those who voted in the negative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Barrett, Bay, Beatty, Blake, Carnahan, Chapman of Cuyahoga, Duncan, Edson, Faxon, Hill, Mack, Mann, Myers of Fayette, Neff, Newell, Scott, Varley and Vincent—20.

So the bill passed. The title was agreed to.

The following bills were introduced, and read the first time:

H. B. No. 221—By Mr Scott: To repeal certain acts therein named.

H. B. No. 222—By Mr. Boyce: To amend an act entitled an act limiting the compensation of certain officers therein named, passed April 6, 1870, and repealing section 1 of said act, and to amend section 5 of said act, as amended by an act limiting the compensation of certain officers therein named, passed February 14, 1873, and repealing said section 5.

H. B. No. 223—By Mr. Baker of Coshocton: To authorize the commissioners of the counties of Coshoction and Knox to build a bridge across the Mohican river, at or near the village of Rochester, in Tiverton township, Coshocton county.

H. B. No. 224—By Mr. Geghan: To amend section 1 of an act to protect the election of voluntary political associations, and punish frauds therein, passed February 24, 1871.

H. B. No. 225—By Mr. Walker: Supplementary to an act entitled an act to authorize county commissioner to construct roads on petition of a majority of resident land-owners along and adjacent to the line of said road, and to repeal an act therein named, passed March 29, 1867.

H. B. No. 226—By Mr. Hill: To prevent fraudulent practices.

H. B. No. 227—By Mr. Parker: To authorize the county commissioners of Brown and Highland counties to complete the unfinished part of the Ripley and Hillsborough free turnpike road.

H. B. No. 228—By Mr. Boyce: To amend an act entitled an act relating to wills, and to repeal former acts relating thereto, passed May 3, 1852.

H. B. No. 229—By Mr. Archer: Supplemental to the municipal code.

H. B. No. 230—By Mr. Eshelman: To amend an act entitled an act to amend section 1 of an act to regulate the sale of mineral oils and other substances for illuminating purposes, and to repeal an act entitled an act to provide for the inspection of mineral oils for illuminating purposes, passed April 16, 1867, passed April 27, 1872, passed February 7, 1873.

H. B. No. 231—By Mr. Sater: To protect sidewalks in certain cases specified.

H. B. No. 232—By Mr. Parker: Supplementary to an act entitled an act for the maintenance and support of illegitimate children, and to repeal a certain act therein named.

H. B. No. 233—By Mr. Miller: To amend section 507 of an act to provide for the organization and government of municipal corporations, passed May 1, 1869, as amended February 14, 1873.

Mr. Chapman of Cuyahoga submitted the following report:

The joint committee on Enrollment have examined, and found correctly enrolled, the following bill:

H. B. No. 2: To amend section 2 of an act amendatory of and supplementary to an act act entitled an act to regulate insurance companies doing an insurance business in the State of Ohio, passed April 24, 1873.

H. M. Chapman,	J. C. Fisher,
B. Neff,	A. M. Burns,
Henry Hardy,	S. Knox,
E. B. Parker,	M. C. Lawrence.

The Speaker, in the presence of the House, signed said bill.

Mr. Neff submitted the following report:

The joint committee on Enrollment have examined, and found correctly enrolled, the following bill:

H. B. No. 26: To establish a joint sub-school district in Shelby county.

B. Neff,	A. M. Burns,
H. M. Chapman,	J. C. Fisher,
Henry Hardy,	M. C. Lawrence,
E. B. Parker,	S. Knox.
J. M. Pattison,	

The Speaker, in the presence of the House, signed said bill.

Mr. Baskin submitted the following report:

The committee on Agriculture, to whom was referred H. B. No. 185, to authorize the President and Secretary of the Urichsville Agricultural Society to sell and convey certain lands, having had the same under consideration, report it back, and recommend its passage.

Milt. McCoy,	Thos. H. Baskin,
Robert Barnett,	T. E. Sater,
T. M. Bay,	H. M. Chapman.

On motion of Mr. Grosvenor, said bill was ordered to be engrossed, and read the third time Wednesday next.

Mr. Grosvenor submitted the following report:

The committee on Judiciary, to whom was referred S. J. R. No. 14, directing the cancellation of certain bonds in the hands of the Treasurer

of State, having had the same under consideration, report it back, and recommend that it be indefinitely postponed.

C. H. GROSVENOR, WM. W. BEATTY,
J. H. HEITMANN, C. C. ARCHER,
T. M. ROBB, J. M. HAAG.
J. M. PATTISON,

Said report was agreed to, and the resolution indefinitely postponed.

Mr. Scott submitted the following report:

The committee on Judiciary, to whom was referred H. J. R. No. 22, relative to the exchange of revised statutes, having had the same under consideration, report it back, with the recommendation that it be passed.

J. SCOTT, WM. W. BEATTY,
J. M. PATTISON, J. H. HEITMANN,
T. M. ROBB, J. M. HAAG,
W. P. HOWLAND, C. H. GROSVENOR.
C. C. ARCHER,

The question being on the adoption of said resolution, the yeas and nays were ordered, and resulted—yeas 61, nays 1, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Armstrong of Guernsey, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Baskin, Bay, Beatty, Blake, Brooke, Carnahan, Cole, Coler, Conklin, Duncan, Eidson, Eshelman, Faxon, Geghan, Grosvenor, Haag, Hardy, Harrison, Haven, Heitmann, Hoagland, Holloway, Holt, Howland, Inman, Johnson, Light, Mack, Marx, Martin, McCloud, McKinley, Munson, Myers of Fayette, Neff, Newton, Oren, Parker, Pattison, Poe, Ramsay, Ray, Richmond, Robb, Sater, Scott, Sheppard, Stone, Thompson of Montgomery, Van Meter, Varley, Vincent, Watson, Weible, West and Williams—62.

Mr. Sherrick voted in the negative.

So the resolution was adopted.

Mr. Scott submitted the following report:

The committee on Judiciary, to whom was referred H. B. No. 197, for supplying United States courts in Ohio with the laws of the State, having had the same under consideration, report it back, with the recommendation that it be engrossed and passed.

J. SCOTT, C. C. ARCHER,
J. M. PATTISON, WM. W. BEATTY,
T. M. ROBB, J. H. HEITMANN,
W. P. HOWLAND, J. M. HAAG.

On motion of Mr. Scott, said bill was ordered to be engrossed, and read the third time Tuesday next.

Mr. Haag submitted the following report:

The committee on Judiciary, to whom was referred H. B. No. 126, to repeal section 3 of an act entitled an act, passed April 30, 1862, amendatory of an act entitled an act in addition to the several acts in relation to the courts of justice, and their powers and duties, passed April 10, 1856, having had the same under consideration, report it back, and recommend its indefinite postponement.

J. M. HAAG, J. M. PATTISON,
T. M. ROBB, WM. W. BEATTY,
C. H. GROSVENOR, C. C. ARCHER,
J. H. HEITMANN, J. SCOTT.

Said report was agreed to, and the bill indefinitely postponed.

Mr. Varley submitted the following report:

The committee on Penitentiary, to whom was referred H. R. No. 55, having had the same under consideration, report it back, with the following report. (See appendix.)

ALLEN J. BEACH, JAS. L. HAVEN,
E. R. P. BAKER, J. F. THOMPSON.
JNO. VARLEY,

On motion of Mr. Scott, said report was ordered to be printed in the appendix to the Journal.

Mr. Archer submitted the following report:

The committee on Judiciary, to whom was referred S. B. No. 10, to amend section 28 of the code of civil procedure, passed April 18, A.D. 1870, having had the same under consideration, report it back, and recommend its passage.

T. M. ROBB, J. SCOTT,
J. H. HEITMANN, C. C. ARCHER,
C. H. GROSVENOR, J. M. PATTISON.

Said bill was ordered to be read the third time Wednesday next.

Mr. Neff submitted the following report:

The committee on Roads and Highways, to whom was referred H. B. No. 147, amendatory of an act to protect sidewalks, passed April 3, 1867, having had the same under consideration, report it back, with the following amendment, and recommend its passage: In line 6, section 1, after the word "public," insert the words "foot-walk or."

B. NEFF, LEBBEUS COLE,
J. A. MOOREHEAD, E. A. STONE.
W. H. CONKRIGHT,

The amendment was agreed to.

Said bill was ordered to be engrossed, and read the third time Wednesday next.

Mr. Ray submitted the following report:

The committee on New Counties and County Affairs, to whom was referred H. B. No. 133, to authorize the trustees of Lagrange township, Lorain county, to levy a tax for certain purposes therein named, having had the same under consideration, report it back, and recommend its passage.

J. B. RAY, SHELDEN NEWTON,
S. A. WEST, E. M. WALKER.
R. RAMSAY,

On motion of Mr. Faxon, said bill was ordered to be engrossed, and read the third time Thursday next.

Mr. Heitmann submitted the following report:

The committee on Judiciary, to whom was referred H. B. No. 88, to amend section 20 of an act entitled an act prescribing the duties of county auditors, passed and took effect April 4, 1859, as amended January 16, 1873, having had the same under consideration, report it back, and recommend its indefinite postponement.

J. H. HEITMANN, T. M. ROBB,
J. SCOTT, W. P. HOWLAND,
C. C. ARCHER, C. H. GROSVENOR,
J. M. HAAG, WM. W. BEATTY.

Said report was agreed to, and the bill indefinitely postponed.

Mr. Grosvenor, on leave, presented the remonstrance of Cyrus Barnhart and 237 other citizens of Athens county, against the passage of any

amendment that will in any wise impair or weaken any of the statutes now in force which "provide against the evils resulting from the sale of intoxicating liquors in the State of Ohio," passed May 1, 1854, and especially sections 7 and 10, as amended.

Which was referred to the committee on Temperance.

Mr. Grosvenor, on leave, also presented the remonstrance of Mrs. Sarah Bartlett and 90 other women of Athens county, against the passage of any law impairing the efficiency of the Adair law.

Which was referred to the committee on Temperance.

Mr. Grosvenor, on leave, presented the remonstrance of J. P. Ohmer and 35 other citizens of Vinton county, Ohio, against the Kemp game and bird bill.

Which was referred to the committee on Agriculture.

Mr. Grosvenor, on leave, presented the remonstrance of J. C. Frost and 534 other citizens of Nelsonville, Athens county, Ohio, against any modification of the liquor laws of the State.

Which was referred to the committee on Temperance.

Mr. Grosvenor, on leave, presented the remonstrance of Geo. P. Jarvis and 214 other citizens of Athens county, against the Kemp bird and game bill.

Which was referred to the committee on Agriculture.

Mr. Coler, on leave, presented the remonstrance of John Runck and 45 other citizens of Montgomery county, against any change in the present game laws, and the passage of a bill pending in the House for the protection of land-holders.

Which was referred to the committee on Agriculture.

Mr. Coler, on leave, presented the remonstrance of J. C. Staley and 200 other citizens of Montgomery county, against any change in the present game laws, and the passage of a bill pending in the House for the protection of land-holders.

Which was referred to the committee on Agriculture.

Mr. Beatty submitted the following report:

The committee on Judiciary, to whom was referred H. B. No. 76, to provide for the punishment of the careless use of fire-arms, having had the same under consideration, report it back, with the following amendments, and recommend its engrossment and passage:

In section 3, line five, strike out the word "two," and insert "one" in place thereof. After the word "years," in the same line, add the words "or both, at the discretion of the court."

J. M. PATTISON, T. M. ROBB,
J. H. HEITMANN, J. SCOTT,
C. H. GROSVENOR, C. C. ARCHER.

The amendments were agreed to.

On motion of Mr. Heitmann, said bill was ordered to be engrossed, and read the third time Thursday next.

Mr. Watson submitted the following report:

The committee on New Counties and County Affairs, to whom was referred H. B. No. 187, to authorize the trustees of Thompson township, Geauga county, to sell the second story of the town hall of said township, having had the same under consideration, report it back, and recommend its passage.

S. A. WEST, JAMES WATSON,
E. M. WALKER, J. B. RAY,
R. RAMSAY, SHELDEN NEWTON.

On motion of Mr. Blake, said bill was ordered to be engrossed, and read the third time Wednesday next.

On motion of Mr. Armstrong of Belmont, the House adjourned.

Attest: THOMAS COUGHLIN, *Clerk.*

FRIDAY, FEBRUARY 20, 1874—10 o'clock A.M.

The House met pursuant to adjournment.

Prayer by the Rev. J. L. Grover.

The Journal of Wednesday and Thursday was read and approved.

Indefinite leave of absence was granted Mr. Hodge.

Mr. Pattison submitted the following report:

The joint committee on Enrollment have examined, and found correctly enrolled, the following bill:

S. B. No. 77: Supplementary to the act entitled an act to regulate the election of State and county officers, passed May 3, 1852.

J. C. FISHER, J. M. PATTISON,
S. KNOX, B. NEFF,
A. M. BURNS, HENRY HARDY,
E. B. PARKER, O. B. CHAPMAN.

The Speaker, in the presence of the House, signed said bill.

Mr. Huston moved to take H. B. No. 74 from the table.

Which was agreed to; and, on his motion, said bill was ordered to be engrossed, and read the third time Wednesday next.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has adopted the following joint resolution, in which the concurrence of the House of Representatives is requested:

S. J. R. No. 22—By Mr. Philson: For the payment of the claim of Drusilla Rouch.

Attest: S. K. DONAVIN, *Clerk.*

Mr. Nelson moved to refer said resolution to the committee on Claims.

Which was disagreed to.

The question then being on the adoption of the resolution, the yeas and nays were ordered, and resulted—yeas 71, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Armstrong of Guernsey, Baker of Fairfield, Baker of Perry, Barnett, Baskin, Bay, Beach, Beatty, Blake, Boyce, Brooke, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Cole, Coler, Cooley, Conklin, Duncan, Eidson, Faxon, Haag, Hardy, Harrison, Hill, Hoagland, Holloway, Howland, Inman, Light, Loomis, Mack, Mann, Marx, McCloud, McKinley, McLain, Mesloh, Moorehead, Morris, Munson, Myers of Fayette, Nelson, Newton, Oren, Parker, Pattison, Pearson, Ray, Richmond, Robb, Sater, Scott, Sheppard, Sherrick, Stone, Thompson of Lucas, Thompson of Montgomery, Tryon, Van Meter, Varley, Vincent, Walker, Watson Weible, West, White, Williams and Speaker—71.

So the resolution was adopted.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has concurred in the passage of H. B. No. 172, to attach the north half of section 28, town 7, south, range 6, east, to joint sub-district No. 7, Franklin township, Shelby county, Ohio.

Attest: S. K. DONAVIN, *Clerk.*

MESSAGE FROM THE SENATE.

Mr. Speaker:

The following bills have been introduced in the Senate, and read the first time:

S. B. No. 91—By Mr. Andrews: Supplementary to an act to authorize the Board of Public Works to enlarge the culverts on the Miami and Erie canal.

S. B. No. 92—By Mr. Worthington: Limiting the rates of taxation in municipal corporations, and to repeal the act entitled an act limiting the rates of taxation in municipal corporations, passed May 2, 1871. (68 O. L., p. 133.)

S. B. No. 93—By Mr. Worthington: To amend section 56 of an act entitled an act for the organization and maintenance of common schools, passed May 1, 1873. (70 O. L., p. 195.)

S. B. No. 94—By Mr. Goodhue: To define and establish the practice in trials for the contesting of wills.

Attest: S. K. DONAVIN, *Clerk.*

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has passed the following bill, in which the concurrence of the House of Representatives is requested:

S. B. No. 73—By Mr. Reid: To amend section 1 of an act entitled an act supplementary to an act to provide for the creation and regulation of incorporated companies in the State of Ohio, passed May 1, 1862 [1852] (S. & C., 271; Swan's R. S., 197), passed April 12, 1865 (S. & S., 237), as amended February 18, 1873 (70 O. L., p. 37).

Attest: S. K. DONAVIN, *Clerk.*

Said bill was read the first time.

The Speaker laid before the House a communication from the Auditor of State in answer to H. R. No. 71.

On motion of Mr. Scott, said communication was laid on the table and ordered to be printed.

Mr. Scott presented the petition of Dr. S. S. Scoville and 210 other citizens of Warren county, praying that no law be passed that in any way will impair or weaken the laws providing against the evils arising from the sale of intoxicating liquors.

Which was referred to the committee on Temperance.

Mr. Baker of Perry presented the memorial of John G. Jenkins and 68 other citizens of Trumbull county, for the passage of H. B. No. 145.

Which was referred to the committee on Geology, Mines and Mining.

Mr. Baker of Perry presented the petition of John R. Williams and 94 other citizens of Perry county, praying for the passage of H. B. No. 145, to regulate mines and mining.

Which was referred to the committee on Geology, Mines and Mining.

Mr. Baker of Perry presented the petition of Thomas Baynham and 98 other citizens of Perry county, praying for the passage of H. B. No. 145, to regulate mines and mining.

Which was referred to the committee on Geology, Mines and Mining.

Mr. Baker of Perry presented the petition of Peter Riley and 98 other citizens of Perry county, praying for the passage of H. B. No. 145, to regulate mines and mining.

Which was referred to the committee on Geology, Mines and Mining.

Mr. Baker of Perry presented the petition of Daniel Calahan and 91

other citizens of Perry county, praying for the passage of H. B. No. 145, to regulate mines and mining.

Which was referred to the committee on Geology, Mines and Mining.

Mr. Holloway presented the remonstrance of Samuel Williams and 44 other citizens of Columbiana county, against the passage of any act that will in any way modify or weaken any of the present liquor laws of the State.

Which was referred to the committee on Temperance.

Mr. Mack presented the petition of James Kerns and 52 other citizens of Summit county, praying that no law or amendment to the law be enacted that will in any wise impair or weaken any of the statutes now in force which provide against the evils resulting from the sale of intoxicating liquors in the State of Ohio.

Which was referred to the committee on Temperance.

Mr. Beach presented the petition of James M. Andrews and 277 other citizens of Mt. Vernon, Knox county, praying for an act amendatory of the present act regulating municipal corporations, so that each ward in a city shall elect a supervisor to grade and improve the streets and alleys in their respective wards.

Which was referred to the committee on Municipal Corporations.

Mr. Brooke presented the remonstrance of William Pennock and 50 other citizens of Stark county, against the repeal of the Adair law, or any modification of the said enactment which shall impair its efficiency or in any way lessen the responsibility of the vendor of ardent spirits.

Which was referred to the committee on Temperance.

Mr. Gordon presented the petition of G. W. Landman and 500 other citizens of Hamilton county, asking for the passage of a bill authorizing the commissioners of Hamilton county to construct a new bridge, with suitable approaches, on the site of the present Union bridge, in Anderson township, Hamilton county.

Which was referred to the committee on New Counties and County Affairs.

Mr. Light presented the petition of Joshua Collar and 31 other citizens of Putnam county, asking for the reduction of compensation of county officers.

Which was referred to the committee on Fees and Salaries.

Mr. Sherrick presented the petition of W. S. Shertzer and 215 other citizens of Stark county, praying for a law making it a misdemeanor, punishable by fine and imprisonment, for any bailee for hire of property to kill, injure or destroy the same by willful or gross neglect, and making the offender liable to the owner for such damage.

Which was referred to the committee on Judiciary.

Mr. Mack presented the petition of W. W. Warner and 39 other citizens of Summit county, praying that no law, or amendment to the law, be enacted that will in any wise impair or weaken any of the statutes now in force which provide against the evils resulting from the sale of intoxicating liquors in the State of Ohio.

Which was referred to the committee on Temperance.

Mr. Richmond presented the memorial of A. A. Austin, M.D., and 8 other physicians of Erie county, asking for the enactment of a law to protect physicians against unjust and malicious prosecution for alleged malpractice.

Which was referred to the committee on Medical Colleges and Societies.

Mr. Duncan presented the petition of Jonathan Shaw and 223 other

citizens of Westfield township, Morrow county, Ohio, praying for an act submitting to a vote the question of the removal of the county seat of said county from Mt. Gilead, in Gilead township, to Cardington, in Cardington township.

Which was referred to the committee on New Counties and County Affairs.

Mr. Duncan also presented the petition of Joseph Russel and 154 other citizens of Lincoln township, Morrow county, Ohio, praying for an act submitting to a vote the question of the removal of the county seat of said county from Mt. Gilead, in Gilead township, to Cardington, in Cardington township.

Which was referred to the committee on New Counties and County Affairs.

Mr. Duncan also presented the petition of S. Vining and 131 other citizens of Bennington township, 71 citizens of Harmony township, and 8 citizens of Lincoln township, Morrow county, Ohio, praying for an act submitting to a vote the question of the removal of the county seat of said county from Mt. Gilead, in Gilead township, to Cardington, in Cardington township.

Which was referred to the committee on New Counties and County Affairs.

Mr. Duncan also presented the petition of Jacob L. Day and 96 other citizens of North Bloomfield township, Morrow county, Ohio, asking for an act submitting to a vote the question of the removal of the county seat of said county from Mt. Gilead, in Gilead township, to Cardington, in Cardington township.

Which was referred to the committee on New Counties and County Affairs.

Mr. Armstrong of Belmont presented the petition of Thos. Thompson, W. P. Frazure and 77 other citizens of Belmont county, praying for the enactment of a law making it a misdemeanor, punishable by fine and imprisonment, for any bailee for hire of property to kill, injure or destroy the same by willful abuse, cruel or immoderate usage, or gross negligence, etc.

Which was referred to the committee on Judiciary.

Mr. Hoagland presented the petition of H. Wolgamst and 24 other citizens of Holmes county, praying for the amendment of the game law so as to secure the owners and occupiers of lands.

Which was referred to the committee on Agriculture.

Mr. Varley presented the remonstrance of E. W. Booth and 40 other citizens of Washington county, against the passage of H. B. No. 196, believing that said bill is wrongly named, and that it is calculated to benefit the railroads at the expense of the traveling public.

Which was referred to the committee on Railroads and Telegraphs.

Mr. Parker submitted the following report:

The joint committee on Enrollment have examined, and found correctly enrolled, the following bill:

H. B. No. 121: To authorize the treasurer of Knox county to pay out of the treasury, upon the order of the county commissioners, certain funds derived from the stockholders of the Lake Erie Railroad Company.

E. B. PARKER,	O. B. CHAPMAN,
HENRY HARDY,	J. C. FISHER,
J. M. PATTISON,	S. KNOX,
H. M. CHAPMAN,	A. M. BURNS.

The Speaker, in the presence of the House, signed said bill.

The following bills were read the second time:

H. B. No. 208: To amend an act entitled an act of the jurisdiction of justices of the peace, and of the duties of constables in civil courts, passed March 14, 1850.

Referred to the committee on Judiciary.

S. B. No. 25: To amend the second clause of the second section of an act entitled an act to amend the first and second sections of an act passed April 17, 1837, entitled an act to amend the first and second sections of an act entitled an act regulating descents and distributions of personal estates, passed March 14, 1853, passed and took effect March 4, 1865.

Which was referred to the committee on Judiciary.

S. B. No. 55: To amend the eleventh section of an act entitled an act regulating the mode of administering assignments in trust for the benefit of creditors, passed and took effect April 6, 1859.

Referred to the committee on Fees and Salaries.

S. B. No. 56: Supplementary to an act entitled an act relating to ditches, passed April 12, 1871.

Referred to the committee on Ditches, Drains and Water-courses.

S. B. No. 60: To authorize the city of Toledo, in the State of Ohio, to borrow money.

Referred to the committee on Municipal Corporations.

H. B. No. 209: To authorize the filling of vacancies in the boards of trustees of townships.

Referred to the committee on Judiciary.

H. B. No. 210: To amend section 1 of an act entitled an act to exempt specific articles of personal property from execution, passed April 16, 1873.

Referred to the committee on Judiciary.

H. B. No. 211: To amend section 313 of the code of civil procedure, as amended April 18, 1870.

Referred to the committee on Judiciary.

H. B. No. 212, for the relief of Bernard Ritter, was read the second time.

Mr. Conklin moved that the constitutional rule requiring bills to be read on three several days be dispensed with, and the bill be read a third time now.

Which motion was disagreed to.

Said bill was then ordered to be read the third time Tuesday next.

H. B. No. 213: To limit the power of county commissioners in the construction of bridges.

Referred to the committee on New Counties and County Affairs.

H. B. No. 214: To amend section 1 of an act entitled an act supplementary to an act entitled an act authorizing the appointment of metropolitan police commissioners in cities of the first class having a population of less than one hundred thousand inhabitants at the last Federal census, passed April 5, 1866, as amended and supplemented April 7, 1868, and March 11, 1872, and to repeal an act therein named, passed March 29, 1873.

Referred to the committee on Municipal Corporations.

H. B. No. 215: To authorize county commissioners to levy a tax to keep in repair free turnpike roads.

Referred to the committee on Turnpikes.

H. B. No. 216: Relating to the infirmary of Ashland county.

Referred to the committee on New Counties and County Affairs.

H. B. No. 217: To amend section 141 of an act entitled an act to provide for the organization and government of municipal corporations, passed May 7, 1869.

Referred to the committee on Municipal Corporations.

H. B. No. 218: To amend section 32 of an act for the relief of the poor, and to repeal certain acts therein named.

Referred to the committee on Fees and Salaries.

Leave of absence was granted Mr. Crites, First Assistant Clerk, until next Monday.

Mr. McKinley submitted the following report:

The committee on Revision have examined, and found correctly engrossed, House Bills Nos. 178, 167, 165 and 27.

Wm. M. McKinley,	Orvil Blake,
Geo. W. Boyce,	Jon. Morris,
Johnson Sherrick,	E. B. Parker.

H. B. No. 57, for the further protection of certain birds and game, and to repeal a certain act therein named, was read the third time.

Mr. Coler moved to refer the bill to a select committee of one, with instructions to amend as follows:

In section 1, line eleven, after the word "September," insert the following: "Provided, that it shall be unlawful to catch, or attempt to catch, with a net or nets, snare or trap, any quail or Virginia partridge, at any time after the passage of this act."

Said amendment was agreed to, and Mr. Coler appointed said committee, who, on leave, reported the bill back, amended as instructed.

Said bill, on motion of Mr. Coler, was then ordered to be engrossed, and read the third time Tuesday next.

On motion of Mr. Richmond, the House took a recess.

HALF-PAST TWO O'CLOCK P M.

Mr. Van Meter moved a reconsideration of the action taken in regard to H. B. No. 102.

Which was agreed to.

Mr. Van Meter then moved that the further consideration of H. B. No. 102 be postponed until next Wednesday.

Which was agreed to.

Mr. Richmond moved that the third reading of S. B. No. 18 be postponed until next Tuesday.

Which was agreed to.

Mr. Thompson of Lucas moved that the third reading of H. B. No. 165 be postponed until next Wednesday.

Which was agreed to.

Mr. Green moved that the third reading of House Bills Nos. 167 and 178 be postponed until Wednesday next.

Which was agreed to.

Mr. Boyce moved that the third reading of H. B. No. 27 be postponed until next Tuesday.

Which was agreed to.

Mr. Eshelman moved that the third reading of H. B. No. 59 be postponed until next Wednesday.

Which was agreed to.

Mr. Beatty submitted the following report:

The committee on Fees and Salaries, to whom was referred H. B. No. 143, to authorize the commissioners of Van Wert county to build a court-

house, having had the same under consideration, report it back, with the following amendments, and recommend its engrossment and passage:

In section 1, line three, strike out the words "and jail." In lines four and six, strike out the words "and fifty." Strike out lines nine and ten and insert: "Provided, that the principal shall be made payable within fifteen years from their date, and redeemable at the pleasure of the county commissioners, after five years from their date."

In section 4, line one, strike out the word "five" and insert the word "one." In line four, after the word "transferable," add the following: "Provided, that the commissioners of said county, before issuing any bonds, as provided in this act, or creating any indebtedness in anticipation thereof, shall, at some general election, after giving twenty days' notice of said election by publication in at least two newspapers of general circulation and published in said county, of the time and places of such election, submit the question of building such court-house to the qualified voters of said county. The ballots to be voted at said election shall have printed or written thereon the words 'Court-House—Yes,' or 'Court-House—No;' and if a majority of the votes cast at said election shall be in favor of building such court-house, then, and not otherwise, the commissioners of said county shall be authorized and required to carry out the provisions of this act. And it is further provided, that no bonds issued under the provisions of this act shall be sold or disposed of for less than their par value."

Strike out section 5 and insert as follows:

"Section 5. The commissioners of said county shall, annually, at their June session, levy such amount of taxes as will pay the interest on such indebtedness, until the fourth year after the date of said bonds, when, and each year thereafter, they shall levy such amount of taxes as will pay the interest on such indebtedness and at least one-tenth of the principal.

"Sec. 6. This act shall take effect and be in force from and after its passage."

WM. W. BEATTY, WM. T. CONKLIN,
GEO. S. BAKER, M. A. HOAGLAND,
LEBBEUS COLE, J. C. VINCENT.

The amendments were agreed to.

Said bill was ordered to be engrossed, and read the third time Wednesday next.

The following bills were introduced and read the first time:

H. B. No. 234—By Mr. Faxon: To authorize the trustees of Lagrange township, Lorain county, Ohio, to borrow money to build a town hall.

H. B. No. 235—By Mr. McLain: Providing for and regulating the publication of applications for local or special legislation.

H. B. No. 236—By Mr. Pattison: To exempt from execution or seizure any fund set apart by benevolent associations or societies for the families of deceased members.

Mr. Oren submitted the following report:

The committee on Railroads and Telegraphs, to whom was referred H. B. No. 156, prescribing the mode for the appropriation of property by corporations, having had the same under consideration, report it back, with the recommendation that it be engrossed and passed.

J. N. OREN, T. B. WILLIAMS,
T. M. BAY, M. A. HOAGLAND.

Mr. Oren moved to refer the bill to the committee on Judiciary.

Which was agreed to.

Mr. Mesloh submitted the following report:

The committee on Manufactures and Commerce, to whom was referred H. B. No. 151, to amend an act entitled an act to provide for a uniform standard of weights and measures, passed April 11, 1861, having had the same under consideration, report it back, and recommend its indefinite postponement.

E. P. NEWELL, H. H. MACK,
J. H. MESLOH, JOHN P. HOLT.
BENJ. INMAN,

Said report was agreed to, and the bill indefinitely postponed.

Mr. Moorehead submitted the following report:

The select committee of two to whom was referred S. B. No. 26, authorizing the trustees of Jefferson township, Muskingum county, to appropriate certain moneys belonging to said township, on Main street, in the village of Dresden, having had the same under consideration, report it back, and recommend its passage.

J. A. MOOREHEAD,
J. B. SHEPPARD.

Said bill was ordered to be read a third time next Thursday.

Mr. Neff submitted the following report:

The select committee of five to whom was referred H. R. No. 29, to inquire into the expediency of further legislation in relation to the collection, keeping and disbursing of taxes, having had the same under consideration, beg leave to report by bill, and recommend its passage.

B. NEFF, T. B. WILLIAMS,
E. M. GREEN, THOS. H. BASKIN.
LEBBEUS COLE,

The following is the bill:

H. B. No. 237—By Mr. Neff, from a select committee of five: Supplementary to an act entitled an act to authorize county treasurers to pay out money to township treasurers, city treasurers, treasurers of incorporated villages, and treasurers of boards of education in advance, passed April 29, 1873. (O. L., Vol. 70.)

Said bill was then read the first time.

Mr. Miller moved to take from the table H. B. No. 7.

Which was agreed to.

The question being on agreeing to the amendments reported by the committee, the amendments were agreed to.

The question then being on the engrossment of the bill,

Mr. Mack moved to amend the bill by inserting the word "over," after the word "having," in line six, section 14.

Which was agreed to.

Mr. Morris moved to strike out the word "each," in line eighteen, section 1, and insert the words "shall each," in line seventeen, after the word "and."

Which was agreed to.

Mr. Miller moved to insert in line four, section 9, after the word "of," the word "the common."

Which was agreed to.

Mr. Gegham moved to amend by striking out the word "free-holder," in line sixteen, section 1, and inserting "electors."

Mr. Harrison moved to amend by striking out the word "inhabitants," in line three, section 1.

Which was agreed to.

Mr. Harrison also moved to strike out the word "inhabitants," in line six, section 14.

Which was agreed to.

Said bill was then ordered to be engrossed, and read a third time on Tuesday next.

On motion of Mr. Stone, H. B. No. 91 was taken the table.

Mr. Armstrong of Guernsey moved to postpone the third reading of said bill until the second Wednesday of March.

Mr. Haag moved to postpone its third reading until January next.

Which was disagreed to.

The question then recurred upon the motion of Mr. Armstrong.

Which was disagreed to.

Mr. Stone moved that the further consideration of the bill be postponed until next Thursday.

Which was agreed to.

Mr. White, on leave, introduced the following bill, which was read the first time:

H. B. No. 238—By Mr. White: To apportion the State of Ohio into congressional districts.

Mr. Holloway moved that the committee on Common Schools and School Lands be discharged from the further consideration of the remonstances from Madison township, Columbiana county.

Which was agreed to, and the committee discharged.

Mr. Blake offered the following resolution, which was adopted:

H. R. No. 73: WHEREAS, Frequent complaints are made by tax-payers of the State against the working of that part of the tax-law having reference to taxing notes secured by mortgage; therefore

Resolved, That the judiciary committee be instructed to inquire into the working of this part of the tax-law, and report by bill or otherwise, as they may deem best.

Mr. Harrison offered the following resolution, which was adopted:

H. R. No. 74: WHEREAS, It is simply impossible to legislate intelligently without a thorough examination of the questions upon which we vote; therefore

Resolved, That the proper officers be and hereby are instructed to have the House calendars placed upon the desks of this House at or before eight A.M. of each legislative day.

Mr. Morris moved to take from the table H. J. R. No. 24.

On which motion the yeas and nays were demanded, ordered, and resulted—yeas 30, nays 36, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Guernsey, Beatty, Blake, Carnahan, Chapman of Cuyahoga, Coler, Cooley, Faxon, Haag, Harrison, Holloway, Holt, Loomis, Mack, Mann, Marx, Martin, McLain, Morris, Munson, Myers of Fayette, Neff, Parker, Richmond, Scott, Stone, Thompson of Lucas, Tryon, Varley and White—30.

Those who voted in the negative were—

Messrs. Baker of Fairfield, Baker of Perry, Baskin, Bay, Beach, Boyce, Brooke, Cole, Conklin, Eshelman, Geghan, Gordon, Green, Hardy, Hill, Hoagland, Huston, Inman, Light, McCloud, McKinley, Mesloh, Miller, Moorehead, Robb, Sater, Sheppard, Sherrick, Thompson of Montgomery, Van Meter, Weible and Walker—36.

So the motion was disagreed to.

Mr. Pattison submitted the following report:

The committee on Judiciary, to whom was referred H. B. No. 142, sup-

plementary to an act entitled an act supplementary to an act making certain instruments of writing negotiable, passed February 25, 1820, passed March 30, 1857, having had the same under consideration, report it back, and recommend its passage.

J. M. PATTISON, J. M. HAAG,
W. P. HOWLAND, J. H. HEITMANN,
T. M. ROBB, C. H. GROSVENOR.
C. C. ARCHER,

Said bill was ordered to be engrossed, and read the third time Thursday next.

Mr. Pattison submitted the following report:

The joint committee on Enrollment have examined, and found correctly enrolled, the following bill:

H. B. No. 39: To amend section 104 of an act entitled an act to establish a code criminal procedure for the State of Ohio, passed May 6, 1869, as amended January 5, 1871.

HENRY HARDY, O. B. CHAPMAN,
E. B. PARKER, J. C. FISHER,
J. M. PATTISON, S. KNOX,
H. M. CHAPMAN, A. M. BURNS.

The Speaker, in the presence of the House, signed said bill.

Mr. McCloud submitted the following report:

The committee on Military Affairs, to whom was referred H. B. No. 204, to amend section 16 of an act entitled an act to organize and regulate an independent militia, passed April 18, 1870, having had the same under consideration, report it back, and recommend its engrossment and passage.

RODNEY C. MCCLOUD, JOHN J. GEGHAN,
J. M. COOLEY, GEO. H. FORD,
JOHN L. MYERS, WM. M. MCKINLEY,

Said bill was ordered to be engrossed, and read the third time Thursday next.

Leave of absence was asked and obtained for Mr. Ford until Monday.

Mr. Archer offered the following joint resolution:

H. J. R. No. 26: *Resolved by the General Assembly of the State of Ohio,* That the Secretary of State be and he is hereby directed to furnish to the Cincinnati law library six copies of Swan & Sayler's supplement to the Revised Statutes of Ohio.

Said resolution was referred to the committee on Judiciary.

Mr. Scott moved to request the committee on Temperance to report to the House on Tuesday next in regard to H. B. No. 4.

Mr. Haag moved to lay the motion on the table.

On which motion the yeas and nays were demanded, ordered, and resulted—yeas 44, nays 32, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Baker of Fairfield, Baker of Perry, Baskin, Beach, Boyce, Brooke, Cole, Coler, Cooley, Conklin, Eshelman, Geghan, Green, Haag, Hardy, Hill, Hoagland, Huston, Inman, Light, Marx, McCloud, McKinley, Mesloh, Miller, Moorehead, Nelson, Newell, Newton, Parker, Pattison, Poe, Richmond, Robb, Sater, Sheppard, Sherrick, Thompson of Montgomery, Van Meter, Walker, Weible, West and White—44.

Those who voted in the negative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Barrett, Bay, Beatty, Blake, Carnahan, Chapman of Cuyahoga, Duncan, Faxon, Harri-

son, Holloway, Holt, Howland, Loomis, Mack, Mann, Martin, McLain, Morris, Munson, Myers of Ashland, Myers of Fayette, Neff, Oren, Scott, Stone, Thompson of Lucas, Tryon, Varley, Vincent and Watson—32.

So the motion was laid on the table.

On motion of Mr. Sater, the House adjourned.

Attest: THOMAS COUGHLIN, *Clerk.*

SATURDAY, FEBRUARY 21, 1874—10 o'clock A.M.

The House met pursuant to adjournment.

Prayer by the Rev. J. L. Grover.

The Journal was read and approved.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has concurred in the passage of H. B. No. 83, to amend section 27 of an act entitled an act for the reorganization and maintenance of common schools," passed May 1, 1873, after amending the same as follows:

In section 1, line 4, after the word "annually," insert the words "by the qualified electors thereof." In line 15 strike out the word "holding," and insert in lieu thereof the words "opening, and the hour of closing."

In which the concurrence of the House of Representatives is requested.

Attest: S. K. DONAVIN, *Clerk.*

The question being on agreeing to the amendments proposed by the Senate to H. B. No. 83, Mr. Case moved to recommit the bill and amendments to the committee on Common Schools and School Lands.

Which was agreed to.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The following bills have been introduced in the Senate and read the first time:

S. B. No. 95—By Mr. Rukenbrod: To authorize the removal of property belonging to insane persons, from this State.

S. B. No. 96—By Mr. Reese: To repeal section 1 of the act entitled an act for the inspection of gas-meters, the protection of gas consumers, and the protection and regulation of gas companies, passed April 6, 1866 (S. & S., 158), and the repeal of all laws regulating the duties of gas inspectors.

S. B. No. 97—By Mr. Thompson: To amend section 5 of the act passed May 5, 1873, entitled an act to authorize the increase of capital stock of railroad companies. (O. L., Vol. 70, p. 289.)

Attest: S. K. DONAVIN, *Clerk.*

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has passed the following bills, in which the concurrence of the House of Representatives is requested:

S. B. No. 7—By Mr. Curtiss: To authorize the trustees of Bedford township, Cuyahoga county, to levy a special tax, and issue bonds for the purpose therein named.

S. B. No. 45—By Mr. Buell: To amend section 44 of an act entitled an act for the assessment and taxation of property in this State, and for

levying taxes thereon according to its true value in money, as amended May 8, 1868. (S. & S., 751.)

S. B. No. 59—By Mr. Newman: To authorize a special term of the district court of Adams county.

S. B. No. 62—By Mr. Thompson: To authorize the board of county commissioners of the county of Franklin, Ohio, to use and apply any unexpended moneys levied and collected upon the duplicate of said county for the erection of a new building for the infirmary of said county, in payment of the interest and principal of the agricultural and mechanical college bonds of said county.

S. B. No. 49—By Mr. Lawrence: Supplementary to an act entitled an act for the organization and maintenance of common schools, passed May 1, 1873. (O. L., Vol. 70, pp. 195–240.)

S. B. No. 9—By Mr. Butterworth: To amend section 313 of the code of civil procedure, as amended May 2, 1871. (O. L., Vol. 68, pp. 127–128.)

Attest: S. K. DONAVIN, *Clerk.*

Said bills were read the first time.

Mr. Holt moved that a message be sent to the Senate, notifying that body that S. B. No. 7, which, as appears from the certificate of the Clerk, was passed in the Senate on February 4, 1874, did not reach the House of Representatives until the 21st day of February, 1874.

Which was agreed to.

Mr. Heitmann presented the remonstrance of Charles Robbin and 36 other citizens of Franklin county, against the passage of H. B. No. 170.

Which was referred to the committee on Roads and Highways.

Mr. Haven presented the remonstrance of the Cincinnati Chamber of Commerce against the enactment of any law impairing the efficiency of the Cincinnati Southern Railroad law.

Which was referred to the committee on Railroads and Telegraphs.

Mr. Myers of Ashland presented the petition of Aretos Morris and 93 other citizens of Ashland county, praying that the legislature pass no law that will in anywise impair or weaken any of the statutes now in force which provide against the evils resulting from the sale of intoxicating liquors in the State of Ohio, and especially that they do not interfere with the Adair liquor law.

Which was referred to the committee on Temperance.

Mr. Hill presented the petition of George Beckley and 75 other citizens of the separate school-district of Caledonia, Marion county, asking that the board of education be authorized to dispose of certain bonds of said district, issued under the act of April 12, 1873, authorizing said district to issue them at a rate of discount not exceeding ten per cent.

Which was referred to the committee on Public Schools.

Mr. Duncan presented the petition of William White and 91 other citizens of Canaan township, the petition of S. H. Pennock and 478 other citizens of Cardington township, the petition of Joab Wells and 16 other citizens of Gilead township, the petition of David Bunker and 106 other citizens of Peru township, Morrow county, Ohio, praying for an act submitting to a vote the question of the removal of the county seat of said county from Mt. Gilead, in Gilead township, to Cardington, in Cardington township.

Which were referred to the committee on New Counties and County Affairs.

Mr. Haven presented the remonstrance of Robert Ward and 524 other citizens of Hamilton county, against the passage of H. B. No. 196, for the

protection of persons purchasing transportation tickets for passage on railway and steam navigation lines.

Which was referred to the committee on Railroads and Telegraphs.

The following bill was read the second time:

S. B. No. 73: To amend section 1 of an act entitled an act supplementary to an act to provide for the creation and regulation of incorporated companies in the State of Ohio, passed May 1, 1862 [1852], passed April 12, 1865, as amended February 18, 1873.

Referred to the committee on Corporations other than Municipal.

Leave of absence was granted Messrs. Ramsay, Myers of Fayette, Walker and Grosvenor until Monday, and to Mr. Green until Tuesday.

Mr. Newton moved to take from the table H. B. No. 90.

Which was agreed to.

Mr. Holloway moved to amend the amendments as follows:

In line nine, section 5, strike out the word "or," and insert the words "and all."

Strike out all after the words "may be," in line "nine," up to the words "a good," in line ten, and insert "expended in the purchasing of a site, and constructing and completing of."

In line fifteen, after the word "city," add "and said court-house and jail shall have been finished and completed in every particular."

Said amendments were agreed to.

The question then recurred upon agreeing to the amendments to the bill.

Which were agreed to.

Said bill was ordered to be re-engrossed, and read the third time Wednesday next.

Mr. Hill, on leave, introduced the following bill:

H. B. No. 239: Supplementary to an act entitled an act to authorize the board of education of the separate school district of the village of Caledonia, Claridon township, Marion county, Ohio, to issue bonds and borrow money.

The following bills were introduced, and read the first time:

H. B. No. 240—By Mr. Myers of Ashland: To authorize the board of education of the Jeromeville school district, in the county of Ashland, embracing the incorporated village of Jeromeville and adjacent territory, to borrow money and to levy a tax for the purpose of building a school-house.

H. B. No. 241—By Mr. Case: To create a joint sub-district for school purposes in the townships of Starr and Green, in Hocking county, Ohio.

H. B. No. 242—By Mr. Pattison: To amend section 7 of an act entitled an act to require mortgages or bills of sale of personal property to be deposited with township clerks, passed February 24, 1846. (S. & C., p. 475.)

Mr. Case submitted the following report:

The committee on Common Schools and School Lands, to whom was referred H. B. No. 83, to amend section 27 of an act entitled an act for the reorganization and maintenance of common schools, passed May 1, 1873, and the Senate amendments thereto, having had the same under consideration, report it back, and recommend that such amendments be agreed to.

O. CASE, E. MARTIN,
H. G. TRYON, J. A. MOOREHEAD.

The question being upon agreeing to the amendments proposed by the Senate, the yeas and nays were demanded, ordered, and resulted—yeas 58, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Guernsey, Baker of Fairfield, Baker of Perry, Beach, Blake, Boyce, Brooke, Case, Carnahan, Chapman of Meigs, Cole, Cooley, Conklin, Duncan, Eidson, Eshelman, Geghan, Haag, Hardy, Harrison, Heitmann, Hill, Hoagland, Holloway, Howland, Inman, Johnson, Loomis, Mack, Marx, Martin, McCloud, McCoy, McKinley, McLain, Mesloh, Miller, Moorehead, Neff, Newell, Newton, Parker, Pattison, Poe, Robb, Scott, Sheppard, Stone, Thompson of Lucas, Thompson of Montgomery, Tryon, Van Meter, Varley, Vincent, Watson, Weible and Williams—58.

So the amendments were agreed to.

Mr. Archer submitted the following report:

The committee on Judiciary, to whom was referred S. B. No. 16, to amend the first section of an act entitled an act to provide for the proof, acknowledgment and recording of deeds and other instruments of writing, passed February 21, 1831, took effect June 1, 1831, having had the same under consideration, report it back, and recommend its indefinite postponement.

T. M. Robb, J. Scott,
W. P. Howland, Wm. W. Beatty,
J. M. Pattison, C. C. Archer.

So the report was agreed to, and the bill indefinitely postponed.

Mr. Case submitted the following report:

The committee on Common Schools and School Lands, to whom was referred H. B. No. 198, to authorize the creation of a separate school district in Royalton township, Fulton county, Ohio, having had the same under consideration, report it back with the recommendation that it be amended as follows:

In section 1, line five, strike out "separate," and insert "special." In section 2, lines five, nine, ten and twelve, strike out "separate," wherever it occurs, and insert therein "special." In section 3, lines two, five and seven, strike out "separate," wherever it occurs, and insert instead thereof "special." Also, in line two, strike out the words "at once," and insert in lieu thereof "on the second Monday of April next." Also, in lines eight and nine, strike out all after the word "by," in line eight, and insert "the laws now in force, or which may hereafter be in force, relative to special school districts."

And that, as so amended, the bill be engrossed and passed.

O Case, J. A. Moorehead,
E. Martin, G. W. Light,
H G. Tryon, Johnson Sherrick.
A. W. Munson,

The amendments were agreed to, and said bill was ordered to be engrossed and read the third time on Tuesday next.

Mr. Mesloh offered the following:

H. J. R. No. 27: *Resolved by the General Assembly of the State of Ohio,* That there be printed fifteen hundred copies of the report of the State Commissioner of Common Schools, for the year 1873, in the German language, to be distributed by the School Commissioner among the counties with English copies in proportion to their German population, as near as can be.

Referred to the committee on Public Printing.

Mr. Armstrong of Belmont moved to take from the table H. J. R. No. 16.

Which was agreed to.

Said resolution was then referred to the committee on Federal Relations.

Mr. Baker of Fairfield offered the following resolution, which was adopted:

H. R. No. 75: *Resolved*, That the Warden of the Ohio Penitentiary be and he is hereby respectfully requested to inform this House, at his earliest convenience, by what means seventeen convicts were able to perform 29,755½ days' labor during the year ending October 31, 1873. Also, how 1,031½ days, at 86 cents per day, produced $8,867.03, as stated in his report, pages 42 and 45.

Mr. Scott moved that a message be sent to the Senate requesting the return of H. J. R. No. 3.

Which was agreed to.

On motion of Mr. Haag, the House adjourned.

Attest: THOMAS COUGHLIN, *Clerk.*

MONDAY, FEBRUARY 23, 1874—10 o'clock A.M.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Weil, of the Hebrew Church.

Leave of absence was asked and obtained for Mr. Munson until this evening; also for Mr. Carnahan for an indefinite period.

The Journal of Saturday was read and approved.

Mr. Lewis presented the petition of James L. Morris and 44 other citizens of Dennison, Tuscarawas county, praying for the passage of H. B. No. 145, regulating mines and mining.

Which was referred to the committee on Geology, Mines and Mining.

Mr. Lewis presented the petition of W. A. English and 40 other citizens of Stillwater mines, Urichsville, Tuscarawas county, Ohio, praying for the passage of H. B. No. 145, regulating mines and mining.

Which was referred to the committee on Geology, Mines and Mining.

Mr. Lewis presented the petition of Leonard Sparks and 23 other citizens of Trenton, Tuscarawas county, praying for the passage of H. B. No. 145, regulating mines and mining.

Which was referred to the committee on Geology, Mines and Mining.

Mr. Lewis presented the petition of John Edwards and 26 other citizens of Philadelphia Roads, Harrison county, respectfully requesting the passage of H. B. No. 145, regulating mines and mining.

Which was referred to the committee on Geology, Mines and Mining.

Mr. Norton presented the petition of T. H. Bagby and 50 other citizens of Seneca county, protesting against the passage of H. B. No. 35, known as the Kemp Peewee Bill; also, against the abolishing of Fish Commissioner.

Which was referred to the committee on Agriculture.

Mr. McLain presented the petition of John Artsberger and 169 other citizens of Trumbull county, asking for the passage of H. B. No. 145, to regulate mines and mining.

Which was referred to the committee on Geology, Mines and Mining.

Mr. Hoagland presented the petition of A. H. Snyder and 31 other citizens of Holmes county, praying for the amendment of the game laws to secure the owners and occupiers of lands.

Which was referred to the committee on Agriculture.

Mr. Harrison demanded a call of the House, which was duly seconded, and 60 members answered to their names.

The absentees were Messrs. Baker of Coshocton, Barrett, Brunner, Carnahan, Chapman of Cuyahoga, Conklin, Conkright, Duncan, Faxon, Ford, Geghan, Gowey, Gordon, Green, Grosvenor, Haag, Hatfield, Haven, Hodge, Holt, Huston, Light, Mann, McCoy, Miller, Moorehead, Munson, Murlin, Myers of Ashland, Myers of Fayette, Newton, Oren, Pattison, Pearson, Poe, Ramsay, Ray, Sater, Sheppard, Sherrick, Walker, Weible and West.

Leave of absence was asked and obtained until to-morrow for Messrs. Ford, Holt, Brunner, Poe, Conklin, Oren, Huston, Haven, Sater, Faxon, Ray, Sherrick, Conkright, Bay, Mann, Light, Gordon, Geghan, Moorehead, Sheppard, Newton, Chapman of Cuyahoga, Duncan, Barrett, Gowey and Pearson.

Mr. Thompson of Lucas moved that all further proceedings under the call be dispensed with.

Which was agreed to.

Mr. Martin presented the remonstrance of W. L. Harrod and 146 other citizens of Huron county, against the passage of H. B. No. 35.

Which was referred to the committee on Agriculture.

Mr. Robb presented the petition of Thomas McGinnis and 50 other citizens of Auglaize county, asking that no law be passed which will weaken or impair the statutes now in force which provide against the evils resulting from the sale of intoxicating liquors in the State of Ohio.

Which was referred to the committee on Temperance.

The following bills were read the second time:

S. B. No. 7: To authorize the trustees of Bedford township, Cuyahoga county, to levy a special tax and issue bonds for the purpose therein named.

Referred to the committee on New Counties and County Affairs.

S. B. No. 9: To amend section 313 of the code of civil procedure, as amended May 2, 1871.

Referred to the committee on Judiciary.

S. B. No. 45: To amend section 44 of an act entitled an act for the assessment and taxation of property in this State, and for levying taxes thereon according to its true value in money, as amended May 8, 1868.

Referred to the committee on Judiciary.

S. B. No. 49: Supplementary to and explanatory of an act entitled an act for the reorganization and maintenance of common schools, passed May 1, 1873.

Referred to the committee on Common Schools and School Lands.

S. B. No. 59: To authorize a special term of the district court of Adams county.

Referred to the committee on Judiciary.

S. B. No. 62: To authorize the board of county commissioners of the county of Franklin, Ohio, to use and apply any unexpended moneys levied and collected upon the duplicate of said county for the erection of a new building for the infirmary of said county, in payment of the interest and principal of the agricultural and mechanical college bonds of said county.

Referred to the committee on New Counties and County Affairs.

H. B. No. 219: To authorize the purchase of additional lands for the use of the blind asylum.

Referred to the committee on Blind, Deaf and Dumb and Imbecile Asylums.

Mr. Baker of Fairfield moved to reconsider the vote whereby S. B. No. 62 was referred to the committee on New Counties and County Affairs.

Which was agreed to.

Said bill was then referred to the committee on Finance.

H. B. No. 220: To authorize the trustees of the township of New London, Huron county, to transfer moneys raised by a tax to build a railroad, to the school fund for said township.

On motion of Mr. Howland, said bill was ordered to be engrossed, and read a third time Wednesday next.

H. B. No. 221: To repeal certain acts therein named.

Referred to the committee on the Judiciary.

H. B. No. 222: To amend an act entitled an act limiting the compensation of certain officers therein named, passed April 6, 1870, and repealing section one of said act; and to amend section five of said act as amended by an act entitled an act to amend an act limiting the compensation of certain officers therein named, passed February 14, 1873, and repealing said section five.

Referred to the committee on Fees and Salaries.

H. B. No. 223: To authorize the commissioners of the counties of Coshocton and Knox to build a bridge across the Mohican river, at or near the village of Rochester, in Tiverton township, Coshocton county.

Referred to the committee on New Counties and County Affairs.

H. B. No 224: To amend section 1 of an act to protect the elections of of voluntary political associations, and punish frauds therein, passed February 24, 1871.

Referred to the committee on Privileges and Elections.

H. B. No. 225: Supplementary to an act entitled an act to authorize county commissioners to construct roads on petition of a majority of resident land-owners along and adjacent to the line of said road, and to repeal an act therein named, passed March 29, 1867.

Referred to the committee on the Judiciary.

H. B. No. 226: To prevent certain fraudulent practices.

Referred to the committee on Manufactures and Commerce.

H. B. No. 227: To authorize the county commissioners of Brown and Highland counties to complete the unfinished part of the Ripley and Hillsboro free turnpike road.

Referred to the committee on Turnpikes.

H. B. No. 228: To amend an act entitled an act relating to wills, and to repeal former acts relating thereto, passed May 3, 1852.

Referred to the committee on Judiciary.

H. B. No. 229: Supplemental to the municipal code.

Referred to the committee on Judiciary.

H. B. No. 230: To amend an act entitled an act to amend section 1 of an act to regulate the sale of mineral oils and other substances for illuminating purposes, and to repeal an act entitled an act to provide for the inspection of mineral oils for illuminating purposes, passed April 16, 1867, passed April 27, 1872, passed February 7, 1873.

Referred to the committee on Medical Colleges and Societies.

H. B. No. 231: To protect sidewalks in certain cases specified.

Referred to the committee on Roads and Highways.

H. B. No. 232: Supplementary to an act entitled an act for the maintenance and support of illegitimate children, and to repeal certain acts therein named.

Referred to the committee on Judiciary.

H. B. No. 233: To amend section 507 of an act to provide for the organization and government of municipal corporations, passed May 1, 1869, as amended February 14, 1873.

Referred to the committee on Municipal Corporations.

H. B. No. 234: To authorize the trustees of Lagrange township, Lorain county, Ohio, to borrow money to build a town hall.

Referred to the committee on New Counties and County Affairs.

H. B. No. 235: Providing for and regulating the publication of applications for local or special legislation.

Referred to the committee on Judiciary.

The following bills were introduced and read the first time:

H. B. No. 243—By Mr. Boyce: To authorize the abandonment of a part of the Miami and Erie canal

H. B. No. 244—By Mr. Miller: To authorize the issuing of bonds, and to regulate the making of contracts in certain cities.

H. B. No. 245—By Mr. Blake: To authorize the trustees of Atwater township, Portage county, to levy a tax for certain purposes therein named.

H. B. No. 246—By Mr. Pattison: To amend section 439 of an act entitled an act to provide for the organization and government of municipal corporations, passed May 7, 1869. (O. L., Vol. 67, p. 222.)

On motion of Mr. Eshelman, the House took a recess.

HALF-PAST TWO O'CLOCK P.M

Mr. Eshelman submitted the following report:

The committee on Finance, to whom was referred H. B. No. 175, making appropriations for the fiscal year 1874 and for the first quarter of the year 1875, having had the same under consideration, report it back, with the following amendments, and recommend that it be referred to the committee of the whole House.

E. B. Eshelman, W. P. Howland,
Thos. E. Duncan, Geo. W. Boyce,
J. M. Poe, R. Hill.

Mr. Eshelman therepon moved that H. B. No. 175, making appropriations for the fiscal year 1874 and the first quarter of the fiscal year 1875, be referred to the committee of the Whole, and be made the special order for 11 o'clock A.M. to-morrow, and at 11 o'clock A.M. from day to day until disposed of.

Which was agreed to.

Mr. Baker of Fairfield submitted the following report:

The committee on Fees and Salaries, to whom was referred S. B. No. 55, to amend the 11th section of an act entitled an act regulating the mode of administering assignments in trust for the benefit of creditors, passed and took effect April 6, 1859, having had the same under consideration, report it back, and recommend its passage.

Geo. S. Baker, Lebbeus Cole,
M. A. Hoagland, Geo. Johnson,
J. C. Vincent, Wm. T. Conklin.

Said bill was ordered to be read the third time on Wednesday next.

Mr. Boyce submitted the following report:

The committee on Revision have examined, and found correctly engrossed, House Bills Nos. 7, 57, 132, 197, 198 and 212.

Geo. W. Boyce, William M. McKinley,
E. B. Parker, Jon. Morris.
Orvil Blake,

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has adopted the following Senate joint resolution, in which the concurrence of the House of Representatives is requested:

S. J. R. No. 23—By Mr. Burns: Relative to auditing the expenses incurred by committees of the two Houses of the General Assembly.

Attest: S. K. DONAVIN, *Clerk.*

Said resolution was referred to the committee on Claims.

Mr. Blake, on leave, presented the petition of J. M. Alden, H. E. Brush and 122 other citizens of Atwater, Portage county, asking that the township trustees be empowered to levy a tax on the property of townships for the purpose of purchasing a hearse.

Which was referred to the committee on New Counties and County Affairs.

Mr. Thompson of Lucas, on leave, presented the remonstrance of Samuel Blanchard and 30 other citizens of Lucas county, against the modification or repeal of what is known as the Adair liquor law.

Which was referred to the committee on Temperance.

Mr. Richmond moved that the House do now adjourn.

Which was disagreed to.

Mr. Gowey, on leave, presented the petition of G. W. Fuller and 100 other citizens of Champaign county, asking for the passage of a law exempting farming lands situate within the limits of cities and incorporated villages from taxation for municipal purposes.

Which was referred to the committee on Municipal Corporations.

On motion of Mr. Thompson of Lucas, the House adjourned.

Attest: THOMAS COUGHLIN, *Clerk.*

TUESDAY, FEBRUARY 24, 1874—10 o'clock A.M.

The House met pursuant to adjournment.

Prayer by the Rev. Samuel Weil, of the Hebrew church.

The Journal was read and approved.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate accedes to the request of the House of Representatives for the return of H. J. R. No. 3.

Attest: S. K. DONAVIN, *Clerk.*

On motion of Mr. Scott, said resolution was ordered to be re-engrossed.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The following bills have been introduced in the Senate, and read the first time:

S. B. No. 98—By Mr. Bingham: To amend an act entitled an act to incorporate sharpshooter's associations, passed March 7, 1867. (S. & S., p. 200.)

S. B. No. 99—By Mr. Goodhue: To authorize the incorporation of companies for the purchase and sale of goods and merchandise.

S. B. No. 100—By Mr. Potter: To extend the provisions of an act gov-

erning cities of the first class of 100,000 to cities of the same class that have become cities of the first class in decennial periods.

S. B. No. 101—By Mr. Potter: To repeal an act entitled an act to provide for the organization, regulation, and more efficient government of the police in cities of the first class which have been advanced to that grade between decennial periods, passed May 5, 1868, and for other purposes. (O. L., Vol. 65, p. 151.)

S. B. No. 102—By Mr. Worthington: To organize a board of commissioners for the construction of the Central Lunatic Asylum.

Attest: S. K. DONAVIN, *Clerk.*

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has concurred in the passage of H. B. No. 148, to create a joint sub-district for school purposes in the townships of Gratis and Lanier, Preble county, Ohio, and German and Jackson, Montgomery county.

Attest: S. K. DONAVIN, *Clerk.*

Mr. McLain moved to suspend the rule of the House for the purpose of introducing a resolution on the subject of temperance.

On which the yeas and nays were ordered, and resulted—yeas 44, nays 40, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Baker of Perry, Barnett, Barrett, Blake, Brooke, Chapman of Meigs, Coler, Cooley, Conkright, Duncan, Ford, Gowey, Grosvenor, Harrison, Haven, Herron, Holloway, Holt, Howland, Johnson, Loomis, Mack, Mann, Martin, McLain, Morris, Munson, Neff, Newton, Parker, Pattison, Ramsay, Scott, Sheppard, Sherrick, Stone, Thompson of Lucas, Tryon, Varley, Vincent, Walker and Watson—44.

Those who voted in the negative were—

Messrs. Archer, Baker of Fairfield, Beach, Case, Cole, Eidson, Eshelman, Gordon, Green, Haag, Hardy, Heitmann, Hill, Hoagland, Huston, Inman, Kemp Light, Marx, McCloud, McCoy, McKinley, Mesloh, Miller, Moorehead, Murlin, Myers of Ashland, Nelson, Newell, Norton, Pearson, Richmond, Robb, Sater, Thompson of Montgomery, Van Meter, Weible, West, White and Speaker—40.

So the House refused to suspend the rule.

Mr. McLain presented the remonstrance of C. A. Williams and 75 other citizens of Trumbull county, against any repeal or weakening of the Adair law.

Which was referred to the committee on Temperance.

Mr. Lewis presented the petition of John Brunner and 20 other citizens of Andreas mines, Tuscarawas county, respectfully requesting the passage of H. B. No. 145, regulating mines and mining.

Which was referred to the committee on Geology, Mines and Mining.

Mr. Gordon presented the petition of S. K. Rockingham and 33 other citizens of Hamilton and Clermont counties, asking the passage of the bill known as the Kemp game bill.

Which was referred to the committee on Agriculture.

Mr. Gordon presented the petition of Charles H. Wolff and 49 other citizens of Hamilton county, asking the passage of an act authorizing the commissioners of Hamilton county to levy a tax for the construction of a new bridge on the site of the present Union bridge, over the Little Miami river.

Which was referred to the committee on New Counties and County Affairs.

Mr. Armstrong of Guernsey presented the petition of D. T. Coleman and 184 other citizens of Guernsey county, praying for the passage of a law to protect livery-stable keepers and other bailees of property for hire, and making it a misdemeanor, punishable by fine and imprisonment, for any bailee for hire of property to kill, injure or destroy the same, and that the person so offending shall be liable to the owner for damages sustained thereby.

Which was referred to the committee on Judiciary.

Mr. Light presented the petition of John Gander and 54 other citizens of Putnam county, asking a reduction of the compensation of county officers.

Which was referred to the committee on Fees and Salaries.

Mr. Tryon presented the petition of Emory Sprague and 39 other citizens of Lake county, praying for an enactment making members of secret, oath-bound societies incompetent as jurors upon the challenge of a party at interest who is not under like obligations to extra oaths.

Which was referred to the committee on Judiciary.

Mr. Hoagland presented the remonstrance of G. W. Everett and 230 other citizens of Holmes county, protesting against the repeal or modification of the present liquor laws.

Which was referred to the committee on Temperance.

Mr. Munson presented the remonstrance of John A. Morrison and 74 other citizens of Hardin county, against any change in the present liquor laws, and especially against any change in sections 7 and 10 of the Adair law.

Which was referred to the committee on Temperance.

Mr. Munson presented the remonstance of Robert J. Ewing and 51 other citizens of Hardin county, against any change in the existing laws regulating the sale of intoxicating liquors, and especially against the repeal of sections 7 and 10 of the Adair law.

Which was referred to the committee on Temperance.

Mr. Duncan presented the petition of John Manville and 281 other citizens of South Bloomfield and Chester townships, Morrow county, Ohio, praying for the removal of the county seat of said county from Mt. Gilead to Cardington.

Which was referred to the committee on New Counties and County Affairs.

Mr. Duncan also presented the petition of C. W. Rowalt and 205 other citizens of Morrow county, Ohio, praying for the removal of the county seat of said county from Mt. Gilead to Cardington.

Which was referred to the committee on New Counties and County Affairs.

The following bills were read the second time:

H. B. No. 236: To exempt from execution or seizure any fund set apart by benevolent associations or societies for the families of deceased members.

Referred to the committee on the Judiciary.

H. B. No. 237: Supplementary to an act entitled an act to authorize county treasurers to pay out money to township treasurers, city treasurers, treasurers of incorporated villages and treasurers of boards of education in advance, passed April 29, 1873.

Referred to the committee on Finance.

H. B. No. 238: To apportion the State of Ohio into congressional districts.

Mr. Van Meter moved to refer the bill to a select committee of five.

Mr. Scott moved to amend the motion by inserting "twenty" instead of "five."

Which was agreed to.

The motion of Mr. Van Meter, as amended, was then agreed to, and the bill was referred to a select committee of twenty—Messrs. Van Meter, Haven, Sater, Kemp, Eidson, Green, Thompson of Lucas, McCoy, Neff, Conkright, Inman, Morris, Baker of Fairfield, Lewis, White, Vincent, Holloway, Faxon, McLain and Holt.

H. B. No. 239: Supplementary to an act entitled an act to authorize the board of education of the separate school district of the village of Caledonia, Claridon township, Marion county, Ohio, to issue bonds and borrow money.

Referred to the committee on Common Schools and School Lands.

H. B. No. 240: To authorize the board of education of the Jeromeville school district, in the county of Ashland, embracing the incorporated village of Jeromeville and adjacent territory, to borrow money and to levy a tax for the purpose of building a school-house.

Referred to the committee on Common Schools and School Lands.

H. B. No. 241: To create a joint sub district for school purposes in the townships of Starr and Green, in Hocking county, Ohio.

Referred to the committee on Common Schools and School Lands.

H. B. No. 242: To amend section 7 of an act entitled an act to require mortgages or bills of sale of personal property to be deposited with the township clerks, passed February 24, 1846.

Referred to the committee on Judiciary.

S. B. No. 18, to amend an act to enable manufacturing companies to capitalize their debts by increasing their capital stock, and creating preference shares, passed April 11, 1862, was read the third time.

The question being, "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 77, nays 1, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Armstrong of Guernsey, Baker of Fairfield, Baker of Perry, Barnett, Beach, Bell, Blake, Boyce, Brooke, Chapman of Meigs, Cole, Coler, Cooley, Conklin, Conkright, Duncan, Eidson, Eshelman, Ford, Green, Hardy, Harrison, Haven, Heitmann, Herron, Hill, Hoagland, Holloway, Holt, Howland, Huston, Inman, Johnson, Kemp, Lewis, Light, Loomis, Mack, Mann, Marx, Martin, McCloud, McKinley, McLain, Miller, Moorehead, Munson, Murlin, Myers of Ashland, Neff, Nelson, Newton, Norton, Parker, Pattison, Poe, Ramsay, Richards, Richmond, Robb, Sater, Scott, Sheppard, Sherrick, Stone, Thompson of Lucas, Thompson of Montgomery, Tryon, Van Meter, Varley, Vincent, Walker, Watson, Weible and West.—77.

Mr. Barrett voted in the negative.

So the bill passed. The title was agreed to.

On motion of Mr. Eshelman, the special order for 11 o'clock A.M., H. B. No. 175, was postponed until 3 o'clock P.M.

Mr. Pattison submitted the following report:

The joint committee on Enrollment have examined, and found correctly enrolled, the following bill:

H. B. No. 15: To authorize the Treasurer of State to cancel and return the bonds in his custody issued by the authority and in pursuance of an

act of the General Assembly entitled an act to authorize counties, cities, incorporated villages and townships to build railroads, and to lease and operate the same, passed April 23, 1872, and the act amendatory thereof and supplementary thereto, passed March 31, 1873, and to repeal said several acts.

J. M. PATTISON, HENRY HARDY,
O. B. CHAPMAN, J. C. FISHER,
E. B. PARKER, A. M. BURNS,
B. NEFF, M. C. LAWRENCE.

The Speaker then, in presence of the House, signed said bill.

Mr. Blake submitted the following report:

The committee on Revision have examined, and found correctly engrossed, House Bills Nos. 147, 187, 185, 90 and 143.

ORVIL BLAKE, WILLIAM M. MCKINLEY,
GEO. W. BOYCE, JON. MORRIS.

Mr. McCoy asked and obtained indefinite leave of absence for himself on account of sickness.

H. B. No. 57, for the further protection of certain birds and game, and to repeal a certain act therein named, was read the third time.

Mr. Norton moved to recommit said bill to a select committee of one, with instructions to amend as follows:

In section 3, line three, strike out all after the word "prosecution" to the end of the section.

Which was disagreed to.

Mr. Barrett moved to refer the bill to a select committee of one, with instructions to amend as follows:

Strike out in line three all after the word "intent," up to and including the word "common," in line four.

Which was disagreed to.

Mr. Scott moved to recommit the bill to a select committee of one, with instructions to amend as follows:

Strike out the words between the word "intent," in line three, and the word "any," in line four, and insert said words after the word "or," in line seven. Strike out the words "in any place," in line seven.

Pending the discussion of which,

On motion of Mr. McKinley, the House took a recess.

HALF-PAST TWO O'CLOCK P.M.

The House resumed the consideration of Mr. Scott's motion to refer H. B. No. 57 to a select committe of one, with instructions to amend. The motion was agreed to, and Mr. Scott appointed said committee.

H. B. No. 7, to create a board of construction in certain cities, was read the third time.

Mr. Archer moved to refer the bill to a select committee of one, with instructions to amend as follows:

In section 14, line five, after the word "abolished," insert: "But the board of improvements and all officers elected or appointed in cities of the first class, to which this act is applicable, shall hold and continue to exercise and perform their several duties as heretofore prescribed by law, until the officers created by the provisions of this act shall have been duly chosen and qualified." In section 1, line twenty-one, strike out the words "three thousand," and insert "twenty-five hundred."

Which amendments were agreed to, and Mr. Archer appointed said committee, who, on leave, reported the bill back, amended as instructed.

By unanimous consent, the House agreed to suspend the rule, and that said bill be considered as though it had not been ordered to be engrossed for third reading.

Mr. Pattison offered the following amendment to the bill, which was agreed to:

In section 2, line five, after the word "favor," insert: "and no contract, where the amount to be paid is $500 or less, shall be entered into, and no money paid out by said board, unless four votes are recorded in its favor."

Mr. Pattison also offered the following amendments, which were disagreed to:

In section 5, line nine, after the first "of," insert "a majority of the members of each of said boards."

In section 7, after the word "council," add: "and any such bidder or bidders, receiving said contract, shall enter into a penal bond for the faithful performance of said contract, in a sum which shall be twice the amount of the contract price, and with three securities to said bond, which shall be satisfactory to said board, if the amount of said contract price is $500 or less; but if said contract price is more than $500, then said securities shall be such as will be satisfactory to the common council."

Mr. Pattison also offered the following amendment:

In section 1, line two, strike out all after the words "cities of," in line two, to the word "then," in line three, and insert the following: "the second class having a population of 5,000 or more at the last Federal census that have a board of improvements and sewerage commissioners, and all cities of the first class having the same."

The question being on agreeing to said amendment, the yeas and nays were demanded, ordered, and resulted—yeas 4, nays 58, as follows:

Messrs. Parker, Weible, White and Williams voted in the affirmative.

Those who voted in the negative were—

Messrs. Archer, Armstrong of Belmont, Baker of Fairfield, Barnett, Barrett, Beach, Bell, Blake, Boyce, Brooke, Chapman of Meigs, Cole, Coler, Cooley, Conklin, Conkright, Duncan, Eidson, Eshelman, Geghan, Gowey, Gordon, Grosvenor, Haag, Harrison, Haven, Heitmann, Herron, Hill, Holt, Howland, Huston, Inman, Johnson, Lewis, Mack, Marx, Martin, McKinley, McLain, Mesloh, Miller, Moorehead, Neff, Newton, Norton, Pearson, Poe, Sater, Scott, Sheppard, Sherrick, Stone, Thompson of Lucas, Thompson of Montgomery, Varley, Vincent and Walker—58.

So the amendment was disagreed to.

Mr. Pattison also offered the following amendments, which were agreed to:

In section 11, line eight, insert after the word "estimate:" "but if the original contract price for said work was more than $500, then the change to be made and the price to be paid therefor must be approved by the common council before the order of the board shall be binding."

In section 1, after the word "trust," in line twenty-three, add: "that if any member of said board shall evade, or attempt to evade, the provision in section 6 of this act in regard to the limit of the powers of this board to contracts of $500 or less, by cutting up larger contracts so as to make them come within the said limit, or shall be guilty of malfeasance of any kind whatever, a suit shall be commenced in the court having competent jurisdiction thereof by the mayor or city solicitor, with the consent of council; and if said member shall be found guilty of evading,

or attempting to evade, any of the provisions of this act, or shall be found guilty of malfeasance in office, said member shall be removed from his office by the mayor, with the consent of the common council of said city, and shall thereafter be disqualified from holding any office of trust or profit in said city for the ten years subsequent thereafter."

Mr. Haven moved to amend the bill as follows: In section 2, line five, strike out the word "three," and insert "four."

Which was agreed to.

On motion of Mr. Miller, said bill was ordered to be re-engrossed, and read the third time Thursday next.

Mr. Haag presented the memorial, with affidavits attached, of John Ballard, Leonidas Jewett and 120 other citizens of Athens, relating to the charge and attack of Josephus Tucker and others upon Charles H. Grosvenor, a member of this House, stating that the charges are actuated by personal malice and growing out of certain pending lawsuits.

Which was referred to the committee on Privileges and Elections.

Mr. Case presented the memorial of Charles A. Cable, Thomas L. Minton, L. D. Poston and 286 other citizens of Athens county, charging that the attack of Josephus Tucker and others upon Charles H. Grosvenor, a member of this House, is actuated by personal malice, and grows out of certain pending lawsuits.

Which was referred to the committee on Privileges and Elections.

On motion of Mr. Scott, the House resolved itself into committee of the Whole on the orders of the day—Mr. Conklin in the chair. After some time spent therein, the committee rose, reported progress, and asked leave to sit again.

Which was agreed to.

On motion of Mr. West, the House adjourned.

Attest: THOMAS COUGHLIN, *Clerk.*

WEDNESDAY, FEBRUARY 25, 1874—10 o'clock A.M.

The House met pursuant to adjournment.

Prayer by the Rev. Samuel Weil, of the Hebrew Temple.

The Journal was read and approved.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The following bills have been introduced in the Senate, and read the first time:

S. B. No. 103—By Mr. Ferrall: To regulate and limit the compensation of certain county officers.

S. B. No. 104—By Mr. Potter: To authorize the guardians of the estates of minors to lease such estates beyond the time of the majority of such minors.

Attest: S. K. DONAVIN, *Clerk.*

The Speaker laid before the House a communication from the Warden of the Penitentiary, in answer to H. R. No. 75.

Which, on motion of Mr. Mann, was laid on the table and ordered to be printed.

Mr. Oren presented the protest of Isaac Clark and three other citizens

of Highland county, against the repeal or any modification that will impair the efficiency of any of the existing liquor laws.

Which was referred to the committee on Temperance.

Mr. Oren presented the petition of J. W. Mathews and 150 other citizens of New Vienna, Clinton county, praying that the Legislature enact no law that will in any wise weaken the efficiency of the Adair liquor law.

Which was referred to the committee on Temperance.

Mr. Oren presented the petition of Wm. G. Hubbard and 119 other citizens of New Vienna, Clinton county, asking the Legislature to enact no law that will in any manner impair the efficiency of any of the existing laws that have for their object the suppression of the evils resulting from the sale of intoxicating liquors.

Which was referred to the committee on Temperance.

Mr. Case presented the remonstrance of Rev. J. F. Williams and 375 other citizens of Hocking county, against the repeal or modification of the present liquor law.

Which was referred to the committee on Temperance.

Mr. Lewis presented the petition of Thomas Cox, G. W. Ecker and 50 other citizens of Canal Dover, Tuscarawas county, asking the passage of H. B. No. 145, to regulate mines and mining.

Which was referred to the committee on Geology, Mines and Mining.

Mr. Brooke presented the petition of H. E. Strong and 42 other citizens of Stark county, praying for the passage of S. B. No. 12.

Which was referred to the committee on Judiciary.

Mr. Gordon presented the petition of S. W. Markley and 12 other citizens of Hamilton county, asking for the passage of H. B. No. 168, authorizing the commissioners of Hamilton county to construct a new bridge, with suitable approaches, on the site of the present Union bridge.

Which was referred to the committee on New Counties and County Affairs.

Mr. Varley presented the remonstrance of George H. Wheateley and 83 other citizens of Washington county, against the passage of H. B. No. 35, making it a crime, punishable by fine and imprisonment, to hunt or shoot birds and other game on the premises of another.

Which was referred to the committee on Agriculture.

Mr. Varley also presented the remonstrance of S. F. Grosvenor and 38 other citizens of Washington county, against the passage of H. B. No. 35, making it a crime, punishable by fine and imprisonment, to hunt or shoot birds and other game on the premises of another.

Which was referred to the committee on Agriculture.

Mr. Baker of Coshocton presented the petition of John Waggoner and 54 other citizens of Coshocton county, asking the repeal of a certain law found on page 236, Vol. 69, Ohio Laws, 1872, by which a sub-school district was created in Franklin township, Coshocton county.

Which was referred to the committee on Common Schools and School Lands.

Mr. Myers of Ashland presented the petition of E. A. Fitger and 44 other citizens of Ashland county, praying that a law be passed for the further protection of livery-stable keepers and other bailees of property.

Which was referred to the committee on Judiciary.

Mr. West presented the remonstrance of I. N. Westerfield and 129 other citizens of Goshen, Clermont county, against the passage of any act that

would impair or weaken the effect of the act to provide against the evils resulting from the sale of intoxicating liquors in the State of Ohio.

Which was referred to the committee on Temperance.

Mr. Blake presented the remonstrance of B. F. Keller and 166 other citizens of Portage county, against the passage of H. B. No. 35, known as the Kemp game bill.

Which was referred to the committee on Agriculture.

Mr. Morris submitted the following report:

The committee on Revision have examined, and found correctly engrossed, House Bills Nos. 67 and 74.

JON. MORRIS, E. B. PARKER,
GEO. W. BOYCE, ORVIL BLAKE.
WILLIAM M. MCKINLEY,

The Speaker laid before the House a memorial from citizens of Athens county, in regard to the co ntested seat in this House of Mr. Grosvenor.

Which, on motion of Mr. McLain, was referred to the committee on Privileges and Elections.

H. B. No. 27, supplementary to an act entitled an act supplementary to an act providing for the punishment of crimes, and of the several acts amendatory and supplementary thereto, was read the third time.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 79, nays 2, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Armstrong of Guernsey, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Barrett, Baskin, Beach, Blake, Boyce, Brooke, Cole, Coler, Cooley, Conklin, Conkright, Duncan, Eidson, Eshelman, Faxon, Geghan, Green, Grosvenor, Hardy, Harrison, Haven, Herron, Hill, Hoagland, Hodge, Holt, Howland, Huston, Inman, Johnson, Kemp, Lewis, Light, Mack, Mann, Marx, Martin, McCloud, McKinley, McLain, Mesloh, Miller, Morris, Munson, Murlin, Myers of Ashland, Myers of Fayette, Neff, Nelson, Newell, Newton, Oren, Parker, Pattison, Pearson, Ray, Robb, Sater, Sheppard, Sherrick, Stone, Thompson of Montgomery, Tryon, Van Meter, Varley, Vincent, Walker, Watson, Weible, West, White and Williams—79.

Messrs. Bell and Heitmann voted in the negative.

So the bill passed. The title was agreed to.

Mr. Scott submitted the following report:

The select committee of one to whom was referred H. B. No. 57, for the further protection of certain birds and game, and to repeal a certain act therein named, with instructions to amend, reports the same back, amended as instructed.

J. SCOTT.

On motion of Mr. Scott, and by the unanimous consent of the House, the rules were suspended, and the words inserted in the bill by the select committee of one were stricken from the bill.

Mr. Armstrong of Belmont moved to refer said bill to a select committee of one, with instructions to amend as follows:

In line 9, section 1, after the word "turkey," strike out all to and including the word "November," in line 10, and insert the following: "between the first day of January and fifteenth day of October."

Which was disagreed to.

Mr. Hardy moved to recommit said bill to a select committee of one, with instructions to amend as follows: Strike out in line 9, section 1,

after the word "pheasant," the words "or any," and insert after the word "turkey" the words "or the American Eagle."

Which was disagreed to.

Mr. Light moved that said bill be recommitted to a select committee of one, with instructions to amend as follows: After the word "finch," in line 7, section 1, insert as follows: "except where any such birds shall be actually engaged in destroying cultivated ripe fruit."

Which was disagreed to.

On motion of Mr. Coler, said bill was ordered to be re-engrossed, and read the third time to-morrow.

On motion of Mr. Scott, the House resolved itself into committee of the Whole on the orders of the day—H. B. No. 175, making appropriations for 1874 and 1875—Mr. Conklin in the chair. After some time spent therein, the committee rose, reported progress, and asked leave to sit again.

Which was agreed to.

The following bills were introduced, on leave, and read the first time:

H. B. No. 247—By Mr. Richards: For the protection of livery stable keepers and others.

H. B. No. 248—By Mr. Archer: To prohibit and punish certain offenses therein named.

Mr. Marx submitted the following report:

The committee on Municipal Corporations, to whom was referred S. B. No. 60, to authorize the city of Toledo, in the State of Ohio, to borrow money, having had the same under consideration, report it back, with the following amendment, to come in at the close of the second section, and recommend its engrossment and passage: "And provided further, that said city council shall deliver to the board of education of said city twenty-seven thousand three hundred and thirty-six dollars of the bonds herein provided for for the use of said board of education, said bonds to be reimbursed to said city by any moneys collected of the county treasurer or the treasurer of the board of education, on account of their default to pay over to said board moneys due from them, or either of them, to said board of education."

EDWIN W. MILLER,	HIRAM MURLIN,
WM. BELL, JR.,	GUIDO MARX,
G. H. EIDSON,	MILT. MCCOY.

Said amendments were agreed to.

On motion of Mr. Marx, said amendments were ordered to be engrossed, and said bill read the third time to-morrow.

On motion of Mr. Mann, the House took a recess.

HALF-PAST TWO O'CLOCK P.M.

Mr. Case, on leave, submitted the following report:

The committee on Common Schools and School Lands, to whom was referred H. R. No. 70, relative to furnishing the schools of Ohio with text-books, having had the same under consideration, report by bill.

O. CASE,	E. MARTIN,
J. A. MOOREHEAD,	H. G. TRYON,
A. W. MUNSON,	G. W. LIGHT.

Following is the bill:

H. B. No. 249—By Mr. Case, from the committee on Common Schools

and School Lands: To authorize boards of education to purchase text-books.

Said bill was then read the first time.

Mr. Harrison submitted the following report:

The committee on Public Schools, to whom was referred H. B. No. 239, supplementary to an act entitled an act to authorize the board of education of the separate school district of the village of Caledonia, Claridon township, Marion county, Ohio, to issue bonds and borrow money, having had the same under consideration, report it back, without recommendation.

JAMES A. NORTON, EZRA MANN,
T. J. HARRISON, ORVIL BLAKE,
WILLIAM M. MCKINLEY. PAUL A. J. HUSTON.
BENJAMIN INMAN,

On motion of Mr. Hill, said bill was ordered to be engrossed, and read the third time Wednesday next.

Mr. Murlin submitted the following report:

The committee on New Counties and County Affairs, to whom was referred H. B. No. 92, to provide for the removal of the seat of justice of Wood county from the incorporated village of Bowling Green to that of Perrysburg in said county, and to authorize the mayor and town council of the incorporated village of Perrysburg, and the trustees of the township of Perrysburg, in said county, to donate and convey certain property in case of such removal, having had the same under consideration, report it back, and recommend its engrossment and passage.

HIRAM MURLIN, E. M. WALKER,
S. A. WEST, R. RAMSAY.
SHELDEN NEWTON,

Said bill was ordered to be engrossed, and read the third time Thursday of next week.

H. B. No. 197, to provide for supplying United States courts in Ohio with the laws of the State, was read the third time.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 74, nays 1, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Baker of Coshocton, Baker of Fairfield, Barrett, Beach, Beatty, Bell, Blake, Boyce, Brooke, Cole, Coler, Cooley, Conkright, Duncan, Eidson, Faxon, Geghan, Gowey, Green, Grosvenor, Haag, Hardy, Harrison, Haven, Heitmann, Herron, Hill, Hoagland, Hodge, Holloway, Howland, Huston, Inman, Johnson, Kemp, Light, Loomis, Mack, Martin, McCloud, McKinley, Mesloh, Moorehead, Munson, Murlin, Myers of Ashland, Myers of Fayette, Neff, Nelson, Newell, Newton, Norton, Parker, Poe, Ramsay, Ray, Richards, Richmond, Robb, Sater, Scott, Sheppard, Stone, Thompson of Montgomery, Tryon, Varley, Vincent, Walker, Watson, Weible, West and Williams—74.

Mr. Barnett voted in the negative.

So the bill passed. The title was agreed to.

H. B. No. 198, to authorize the creation of a separate school district in Royalton township, Fulton county, Ohio, was read the third time.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 67, nays 1, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Armstrong of Guernsey, Baker

of Coshocton, Baker of Fairfield, Barnett, Beatty, Bell, Blake, Case, Cole, Coler Cooley, Conklin, Duncan, Eidson, Eshelman, Geghan, Gowey, Green, Grosvenor, Hardy, Harrison, Haven, Heitmann, Herron, Hill, Hoagland, Hodge, Holloway, Huston, Johns n, Kemp, Light, Mack, Martin, McCloud, McKinley, Mesloh, Moorehead, Morris, Munson, Murlin, Myers of Ashland, Myers of Fayette, Nelson, Newell, Newton, Poe, Ramsay, Ray, Richards, Richmond, Robb, Sater, Scott, Sheppard, Stone, Thompson of Montgomery, Tryon, Varley, Vincent, Walker, Watson, Weible, White and Williams—67.

Mr. Miller voted in the negative.

So the bill passed. The title was agreed to.

H. B. No. 212, for the relief of Bernard Ritter, was read the third time.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 51, nays 13, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Armstrong of Guernsey, Baker of Coshocton, Baker of Fairfield, Barnett, Barrett, Beach, Beatty, Bell, Boyce, Brooke, Case, Coler, Cooley, Conklin, Duncan, Eidson, Eshelman, Faxon, Geghan, Grosvenor, Hardy, Haven, Heitmann, Herron, Hodge, Howland, Huston, Johnson, Light, Mack, Marx, Munson, Myers of Ashland, Myers of Fayette, Neff, Nelson, Newton, Parker, Ray, Richards, Robb, Sater, Scott, Stone, Tryon, Varley, Watson, West and Williams—51.

Those who voted in the negative were—

Messrs. Conkright, Harrison, Inman, Martin, McCloud, Mesloh, Murlin, Newell, Richmond, Thompson of Montgomery, Vincent, Walker and White—13.

So the bill, having failed to receive a constitutional majority, was lost.

On motion of Mr. Light, H. B. No. 67, to more effectively provide for locating, establishing and constructing ditches, drains and water-courses in townships, and to repeal certain acts therein named, having been previously read the third time February 19, 1874, was taken from the table.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 65, nays 4, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Guernsey, Baker of Coshocton, Baker of Fairfield, Baskin, Beach, Bell, Blake, Boyce, Brooke, Cole, Coler, Cooley, Conklin, Conkright, Duncan, Eidson, Eshelman, Faxon, Geghan, Gowey, Gordon, Green, Grosvenor, Hardy, Haven, Heitmann, Herron, Hodge, Howland, Huston, Inman, Light, Loomis, Mack, Mann, Marx, Martin, McCloud, McKinley, Mesloh, Miller, Morris, Murlin, Myers of Ashland, Myers of Fayett, Neff, Nelson, Newell, Newton, Parker, Ray, Richards, Richmond, Robb, Sater, Stone, Tryon, Varley, Vincent, Walker, Watson, Weible, West and Williams.—65.

Messrs. Barnett, Hoagland, Sheppard and Thompson of Montgomery voted in the negative.

So the bill passed. The title was agreed to.

Leave of absence was granted the committee on Reform Schools from to-morrow morning until Friday.

H. B. No. 59, to amend section 1 of an act entitled an act providing for inclosing railroads by fences and cattle-guards, as amended April 26, 1871, was read the third time.

Mr. Grosvenor moved to refer said bill to a select committee of one, with instructions to amend as follows:

"Provided, that it shall not be necessary for any railroad corporation or company to build fences within the limits of any municipal corporation or addition thereto."

In line 66, after the word "thereof," add: "Provided, that if any train upon any such railroad shall be thrown from the track or in any way injured by any land-owner or land-owners, or by the material by him or them being used under the provisions of this act, and any passenger shall be hurt thereby, or any car or other property of any corporation or person shall be damaged or destroyed thereby, such railroad company shall not be liable for any such injury or damage; but any person injured in person or property by reason of the wrongful act, neglect or default of any person or persons exercising his right or rights under the provisions of this act to construct crossings, fences or cattle-guards, shall have a right of action for such injury against such person or persons, covering such injury."

At the end of section 1 add: "Provided, that nothing in this act contained shall operate in favor of any land-owner or owners over or through whose land any railroad company shall have acquired a right of way by purchase, lease or appropriation, and upon whose land said company has entered and constructed, or is constructing, a railroad, and relating to which purchase, lease or condemnation such railroad company has complied with all its contracts as to fences, crossings and cattle-guards."

Said amendments were disagreed to.

Mr. Howland demanded a call of the House, which was duly seconded, and eighty nine members answered to their names.

The absentees were Messrs. Bay, Bell, Brunner, Carnahan, Chapman of Cuyahoga, Conkright, Ford, Geghan, Hatfield, Marx, McCloud, Miller, Murlin, Thompson of Lucas, and Williams.

The Sergeant-at-Arms was dispatched for absentees.

Mr. McLain moved that all further proceedings under the call be dispensed with.

Which was agreed to.

The question then being "Shall the bill (H. B. No. 59) pass?" the yeas and nays were ordered, and resulted—yeas 62, nays 22, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Barrett, Baskin, Blake, Brooke, Cole, Cooley, Conklin, Conkright, Eshelman, Faxon, Gowey, Green, Hardy, Harrison, Haven, Hill, Hoagland, Hodge, Holloway, Holt, Howland, Huston, Inman, Kemp, Light, Loomis, Mack, McCoy, McKinley, McLain, Mesloh, Moorehead, Munson, Myers of Ashland, Myers of Fayette, Nelson, Newell, Newton, Oren, Parker, Pattison, Poe, Ramsay, Ray, Richards, Robb, Sheppard, Sherrick, Thompson of Montgomery, Tryon, Van Meter, Vincent, Walker, Weible, West and White—62.

Those who voted in the negative were—

Messrs. Beach, Boyce, Case, Chapman of Meigs, Coler, Duncan, Eidson, Grosvenor, Haag, Heitmann, Herron, Johnson, Mann, Martin, Morris, Neff, Pearson, Richmond, Scott, Stone, Varley and Speaker—22.

So the bill passed. The title was agreed to.

Leave of absence until Monday next was granted to Mr. Eidson.

Mr. Lewis submitted the following report:

The committee on Geology, Mines and Mining, to whom was referred H. B. No. 145, to regulate mines and mining, having had the same under

consideration, report it back, with the following amendments, and recommend its engrossment and passage:

In section 1, line two, after "Governor," insert "by and."

In section 2, line nine, after the word "mine," strike out "is" and insert "are." In line eighteen, after the second "and," strike out "of."

In section 4, line one, strike out "three," and insert "two."

Strike out all of section 7, and insert the following:

Section 7. The owner or agent of every coal mine shall make, or cause to be made, an accurate map or plan of the workings of such mine, on a scale of not less than one hundred feet to the inch, showing the area mined or excavated, and the location and connection with such excavation of the mine of the lines of all adjoining lands, and the name or names of each owner or owners, so far as known, marked on each tract; a true copy of which map the said owner or agent shall deposit with the inspector within six months after the passage of this act, and another copy of which shall be kept at the office of such mine; and the owner or agent shall, on or before the first of September, 1874, and every four months thereafter, file with said inspector a statement and plan of the progress of the workings of such mine up to said date, which statement and plan shall be so prepared as to enable the inspector to mark the same on the original map or plan herein required to be made. In case of refusal on the part of said owner or agent for two months after the time designated to make and file the map or plan, or the addition thereto, the inspector is authorized to cause an accurate map or plan of the whole of said mine to be made at the expense of the owner thereof, the cost of which shall be recoverable against the owner in the name of the person or persons making said map or plan, which shall be made in duplicate, one copy being delivered to the inspector and the other left in the office of the mine; and he shall, on being paid the proper cost thereof, on demand of any person interested in the working of such mine, or owner of adjoining lands, furnish an accurate copy of any map or plan of the workings of such mines.

In section 12, line five, strike out "heavy," and insert "hung." Same line, after "shut," strike out "off," and insert "of."

In section 16, line seven, after the word "convene," strike out "the," and insert "a." Same line, after "examiners," insert "to consist of two practical coal miners, one chemist, one mining engineer, and one operator."

Same section, line ten, insert after "convened," "and having been first duly sworn or affirmed truly to try and decide the charges made."

Add to section 16 the following: "which costs and expenses shall include the compensation of such board, of five dollars per day for each member for the time occupied in the trial and in traveling from and to their homes; and the Attorney-General shall forthwith proceed to collect such costs and expenses, and pay the same into the State treasury; the said costs and expenses being in the first instance paid out of the State treasury, on the certificate of the president of such board."

Section 19. The act entitled an act to regulate coal mines and the working thereof, passed April 29, 1872, is hereby repealed.

Section 20. This act shall take effect and be in force from and after its passage.

E. R. P. Baker, Johnson Sherrick,
Edward C. Lewis, T. J. McLain.
Wm. Van Meter,

The amendments were agreed to.

Said bill was then ordered to be engrossed, and read the third time Wednesday next.

Mr. Harrison moved that the House do now adjourn.

Which was disagreed to.

Mr. Eshelman then moved that the House take a recess until to-morrow at 10 o'clock A.M.

Which was agreed to, and the House took a recess.

THURSDAY, FEBRUARY 26, 1874—10 o'clock A.M.

The House met pursuant to recess.

Prayer by the Rev. Samuel Weil, of the Hebrew Temple.

Mr. Boyce submitted the following report:

The committee on Revision have examined, and found correctly engrossed, House Bills Nos. 76, 133, 142 and 204.

GEO. W. BOYCE, JON. MORRIS,
C. H. GROSVENOR, JOHNSON SHERRICK.
ORVIL BLAKE,

Mr. Pattison submitted the following report:

The joint committee on Enrollment have examined, and found correctly enrolled, the following bill and joint resolution:

S. J. R. No. 22: For the payment of the claim of Drusilla Roush.

S. B. No. 24: For the relief of medical colleges.

J. C. FISHER, E. B. PARKER,
M. C. LAWRENCE, HENRY HARDY,
A. M. BURNS, J. M. PATTISON,
O. B. CHAPMAN, B. NEFF.

The Speaker then, in the presence of the House, signed said bill and joint resolution.

Mr. McLain, on leave, presented the memorial of J. Spears and 33 other citizens of Athens county, declaring that they believe the charges of corruption against C. H. Grosvenor are without foundation.

Which was referred to the committee on Privileges and Elections.

Mr. Hardy submitted the following report:

The joint committee on Enrollment have examined, and found correctly enrolled, the following bill:

H. B. No. 5: To provide for the sufficiency of evidence in certain cases.

HENRY HARDY, J. C. FISHER,
O. B. CHAPMAN, M. C. LAWRENCE,
B. NEFF, S. KNOX,
E. B. PARKER, A. M. BURNS.
J. M. PATTISON,

The Speaker then, in the presence of the House, signed said bill.

Mr. Baskin submitted the following report:

The committee on Agriculture, to whom was referred H. B. No. 109, to amend an act entitled an act to amend an act to regulate the standard per bushel of stone coal, passed April 29, 1872, having had the same under consideration, report it back, and recommend its passage.

THOS. H. BASKIN, H. H. MACK,
T. E. SATER, ROBERT BARNETT.
H. M. CHAPMAN,

Said bill was ordered to be engrossed, and read the third time March 4, 1874.

Mr. Moorehead submitted the following report:

The committee on Common Schools and School Lands, to whom was referred H. B. No. 241, to create a joint sub-district for school purposes in the townships of Starr and Green, in Hocking county, Ohio, having had the same under consideration, report it back, with the following amendments, and recommend that it be engrossed and passed.

Section 2, line one, after the word "ballot," insert "by the qualified electors of said joint sub district."

J. A. Moorehead, E. Martin,
O. Case, Johnson Sherrick,
A. W. Munson, G. W. Light.
H. G. Tryon,

Said amendments were agreed to.

Said bill was ordered to be engrossed, and read the third time Wednesday next.

On motion of Mr. Stone, the further consideration of H. B. No. 91 was postponed until March 12, 1874.

Mr. Scott, on leave, presented the petition of Mrs. General Morgan, Miss Sarah S. Butler and 350 other citizens of Warren county, praying that the Legislature do not pass any law altering, modifying or amending the Adair liquor law

Which was referred to the committee on Temperance.

On motion of Mr. Grosvenor, the vote recommitting H. B. No. 196 to the committee on Railroads and Telegraphs was reconsidered, and, on his motion, recommitted to a select committee of one—Mr. Grosvenor.

Mr. Howland submitted the following report:

The committee on Finance, to whom was referred H. B. No. 9, to amend the seventh section of an act entitled an act to amend an act entitled an act prescribing the rate of taxation for county, bridge, road and township purposes, passed May 1, 1871, passed April 26, 1872, having had the same under consideration, report it back, with the recommendation that it be amended by striking out all after the word "township," in line thirteen, section 1, to the end of the section, and inserting "and any person charged with any part of said tax may discharge the same by labor upon the public highway within the road district where the same is charged, in accordance with the provisions of section 21 of the act regulating roads and highways, passed March 9, 1868, as amended April 8, 1868; and if any person shall fail to work out the tax charged as aforesaid, the same shall be collected in the December installment and paid out as provided by law"; and section 2 be amended by inserting at the end thereof "and said original section 7 is hereby repealed."

And the committee recommend the engrossment and passage of the bill as amended.

W. P. Howland, R. Hill,
E. M. Green, Geo. W. Boyce,
Geo. H. Ford, J. M. Poe,
E. B. Eshelman, Thos. E. Duncan.

The amendments were agreed to.

Said bill was then ordered to be engrossed, and read the third time Tuesday next.

Mr. Tryon, on leave, presented the memorial of Dr. O. S. St. John and other citizens of Lake county, respectfully asking this honorable body to

take into consideration the question of citizenship without regard to sex, under the provision of the Constitution of the United States which grants to all citizens the right of suffrage, and asked that it be read by the Clerk.

Mr. Loomis moved that the memorial be laid on the table and ordered printed.

Which was disagreed to.

Mr. Brunner moved to lay the memorial on the table.

Mr. Loomis moved to refer said memorial to the committee on the Judiciary.

The motion to lay on the table was agreed to.

H. B. No. 132, to authorize the commissioners of Darke county to levy a tax for agricultural purposes, was read the third time.

On motion of Mr. Walker, said bill was then indefinitely postponed.

Mr. Robb submitted the following report:

The committee on Privileges and Elections, to whom was referred the memorial of Joseph Herrold and 37 other citizens of Athens county, pertaining to the right of Charles H. Grosvenor to hold his seat as a member of this House from said county, having had the same under consideration, report that from an examination of the statements contained in said memorial, and the affidavits and statements of other parties, referred to this committee, they are of opinion that no good will result from an investigation of said charges before the committee. Any investigation they might be able to make at this late day in the session would be attended with inconvenience, uncertainty and expense, and might be the means of doing great injustice to the parties. And inasmuch as the charges contained in said memorial involve a criminal offense, it is a proper subject for judicial investigation and for inquiry before a grand jury of said county, where all the facts can be fairly and legally and conveniently reached, and the purposes of the memorialists can be better attained, the committee ask to be discharged from the further consideration of the subject.

T. M. Robb, C. C. Archer,
J. F. Gowey, R. C. Thompson,
L. A. Brunner, Shelden Newton.

The report was agreed to, and the committee discharged.

H. B. No. 185, to authorize the president and secretary of the Urichsville Agricultural Society to sell and convey certain lands, was read the third time.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 87, nays 1, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Armstrong of Guernsey, Baker of Fairfield, Baker of Perry, Barnett, Barrett, Baskin, Beach, Beatty, Bell, Blake, Boyce, Brooke, Brunner, Case, Cole, Coler, Cooley, Conklin, Conkright, Eshelman, Faxon, Ford, Geghan, Gowey, Green, Grosvenor, Haag, Hardy, Harrison, Hatfield, Heitmann, Herron, Hill, Hoagland, Hodge, Holt, Howland, Huston, Inman, Johnson, Lewis, Light, Loomis, Mack, Mann, Martin, McCloud, McKinley, McLain, Meslob, Moorehead, Munson, Murlin, Myers of Ashland, Myers of Fayette, Neff, Nelson, Newell, Newton, Norton, Oren, Parker, Pattison, Pearson, Poe, Ramsay, Ray, Richards, Richmond, Robb, Sater, Scott, Sheppard, Sherrick, Stone, Thompson of Lucas, Thompson of Montgomery, Tryon, Van Meter, Varley, Vincent, Walker, Watson, West and Williams—87.

Mr. White voted in the negative.

So the bill passed. The title was agreed to.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The following bill has been introduced in the Senate, and read the first time:

S. B. No. 105—By Mr. Rukenbrod: To amend section 5 of an act entitled an act to provide for a uniform standard of weights and measures, passed April 11, 1861. (S. & S., p. 924.)

Attest: S. K. DONAVIN, *Clerk.*

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has concurred in the passage of H. B. No. 124, to amend an act entitled an act to amend section 62 of an act entitled an act to establish a code of criminal procedure for the State of Ohio, passed May 6, 1869, passed January 29, 1873.

Attest: S. K. DONAVIN, *Clerk.*

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has passed the folllowing bills, in which the concurrence of the House of Representatives is requested:

S. B. No. 89—By Mr. Butterworth: To amend an act entitled an act to establish a code of criminal procedure for the State of Ohio, passed May 6, 1869. (O. L., Vol. 66, p. 287.)

S. B. No. 78—By Mr. Burton: To amend sections 23, 24 and 25 of an act for the reorganization and maintenance of common schools, passed May 1, 1873. (O. L., Vol. 70, p. 200.)

Attest: S. K. DONAVIN, *Clerk.*

Said bills were read the first time.

The Speaker laid before the House a communication from the Secretary of State in regard to the Geological Reports.

Which, on motion of Mr. Eshelman, was referred to the committee on Finance.

Mr. Grosvenor, on leave, submitted the following report:

The committee on Judiciary, to whom was referred H. B. No. 209, to authorize the filling of vacancies in the boards of trustees of townships, having had the same under consideration, report it back, and recommend its engrossment and passage.

C. H. GROSVENOR, THOMAS M. ROBB,
J. H. HEITMANN, C. C. ARCHER,
W. P. HOWLAND, J. M. PATTISON.

Said bills were ordered to be engrossed, and read the third time tomorrow.

On motion of Mr. Eshelman, the House resolved itself in committee of the Whole on the orders of the day—H. B. No. 175. After some time spent therein, the committee rose, reported progress, and asked leave to sit again.

Which was granted.

The following communication was received from the Governor:

EXECUTIVE DEPARTMENT,
COLUMBUS, *February* 26, 1874.

To the General Assembly:

I have the honor herewith to transmit the first report of the Commissioners of Fisheries.

From this report, as well as from other authentic sources of information, it appears that the re-stocking of the streams and lakes with fishes is no longer a matter of speculation, but is an established fact.

The continuance of the present commission, consisting, practically, of two persons only, having at its command adequate facilities to put into successful operation the artificial hatching of fish ova to supply the waters of the State with an abundance of cheap food, is approved by me, and will, I think, meet the views of all interested.

Some further legislation is deemed necessary to enable the Commissioners to proceed with the establishment of hatching-houses, together with such other duties as may be proper to be discharged by them, to render successful the furtherance of re-stocking the waters with fish.

Having been furnished with but one copy of the report, it is sent to the House of Representatives.

Respectfully,

W. ALLEN, *Governor.*

Mr. McCoy moved to lay the message and report on the table, and that the report be printed.

Mr. Scott moved to amend the motion by adding "in the appendix to the Journal."

Which motion was agreed to.

The motion to lay on the table and print, as amended, was then agreed to. (See appendix.)

On motion of Mr. Sater, the House took a recess.

HALF-PAST TWO O'CLOCK P.M.

S. B. No. 10, to amend section 28 of the code of civil procedure, passed April 18, 1870, was read the third time.

Mr. Eshelman demanded a call of the House, which was duly seconded, and 74 members answered to their names.

The absentees were Messrs. Baker of Coshocton, Baker of Perry, Barrett, Baskin, Bay, Beatty, Carnahan, Chapman of Cuyahoga, Eidson, Faxon, Ford, Geghan, Gowey, Gordon, Grosvenor, Haven, Heitmann, Lewis, Light, Mack, Marx, Miller, Moorehead, Munson, Newell, Pattison, Pearson, Poe, Richmond, Robb, Sater and Scott.

The Sergeant-at-Arms was dispatched for absentees.

On motion of Mr. Eshelman, further proceedings under the call were dispensed with.

The House then resumed the considereration of S. B. No. 10.

Mr. Howland moved to recommit the bill to the committee on the Judiciary.

Which was agreed to.

H. B. No. 147, amendatory of an act to protect sidewalks, passed April 3, 1867, was read the third time.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 63, nays 19, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Armstrong of Guernsey, Baker of Fairfield, Barnett, Barrett, Beach, Beatty, Blake, Brooke, Brunner, Chapman of Meigs, Cole, Coler, Cooley, Conkright, Duncan, Eshelman, Ford, Gordon, Grosvernor, Haag, Hardy, Hatfield, Heitmann, Herron, Hill, Holloway, Holt, Huston, Inman, Johnson, Loomis, Mack, Mann, Martin, McLain, Morris, Myers of Ashland, Myers of Fayette, Neff, Nel-

son, Newton, Oren, Pattison, Ramsay, Ray, Richards, Richmond, Robb, Sater, Scott, Sherrick, Stone, Thompson of Lucas, Thompson of Montgomery, Van Meter, Walker, Watson, Weible, West, White and Williams —63.

Those who voted in the negative were—

Messrs. Baskin, Bell, Case, Conklin, Geghan, Green, Harrison, Hoagland, Kemp, Marx, McCloud, Mesloh, Moorehead, Murlin, Norton, Parker, Sheppard, Varley and Vincent—19.

So the bill passed. The title was agreed to.

H. B. No. 187, to authorize the trustees of the township of Thompson, Geauga county, to sell the second story of the town hall of said township, was read the third time.

The question then being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 78, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Baker of Fairfield, Barnett, Barrett, Baskin, Beach, Beatty, Bell, Blake, Boyce, Brunner, Case, Chapman of Meigs, Cole, Coler, Cooley, Conklin, Conkright, Duncan, Eshelman, Faxon, Ford, Geghan, Gowey, Gordon, Haag, Hardy, Harrison, Hatfield, Heitmann, Herron, Hill, Hodge, Holloway, Holt, Huston, Inman, Johnson, Loomis, Mack, Martin, McCloud, McKinley, McLain, Mesloh, Miller, Moorehead, Morris, Munson, Murlin, Myers of Ashland, Myers of Fayette, Neff, Nelson, Newell, Newton, Parker, Pattison, Ramsay, Ray, Richards, Richmond, Robb, Sater, Sherrick, Stone, Thompson of Lucas, Thompson of Montgomery, Tryon, Van Meter, Varley, Vincent, Walker, Watson, Weible, West and Williams—78.

So the bill passed. The title was agreed to.

Mr. Newton moved to suspend the rule of the House, and that H. B. No. 90 be taken up and considered now.

Which was agreed to.

Mr. Haag demanded a call of the House, which was duly seconded, and 92 members answered to their names.

The absentees were Messrs. Baker of Coshocton, Baker of Perry, Bay, Carnahan, Chapman of Cuyahoga, Eidson, Faxon, Haven, Lewis, Light, McLain, Pearson and Poe.

The Sergeant-at-Arms was dispatched for absentees.

On motion of Mr. Haag, further proceedings under the call were dispensed with.

H. B. No. 90, to provide for the removal of the seat of justice of Mahoning county, Ohio, from the town of Canfield to the city of Youngstown, in said county, was then read the third time.

Pending the discussion of which, leave of absence until Monday next was granted Messrs. Case, and Baker of Perry, and for Mr. McKinley until Tuesday next.

Mr. Eshelman moved that the House take a recess until 7½ o'clock this evening.

Which was disagreed to.

Mr. Haag then moved that the House take a recess until 10 o'clock A.M. to-morrow.

Mr. Eshelman moved that the House do now adjourn.

Which was disagreed to.

The motion to take a recess was then disagreed to.

The House then resumed the consideration of H. B. No. 90.

Mr. Eshelman moved to recommit said bill to a select committee of

one, with instructions to amend as follows: Amend line 2, section 2, by inserting between the words "of" and "all" the words "two-thirds of."

On which motion the yeas and nays were ordered, and resulted—yeas 42, nays 48, as follows:

Those who voted in the affirmative were—

Messrs. Barnett, Baskin, Beatty, Brooke, Brunner, Case, Chapman of Meigs, Conklin, Conkright, Eshelman, Hardy, Harrison, Herron, Hoagland, Howland, Huston, Inman, Kemp, Light, Martin, McCoy, McKinley, Moorehead, Munson, Myers of Ashland, Norton, Oren, Parker, Pattison, Pearson, Poe, Ray, Sater, Scott, Sheppard, Stone, Thompson of Montgomery, Varley, Vincent, Watson, Weible and White—42.

Those who voted in the negative were—

Messrs. Archer, Armstrong of Belmont, Armstrong of Guernsey, Baker of Fairfield, Beach, Bell, Blake, Boyce, Cole, Coler, Cooley, Duncan, Geghan, Gordon, Green, Grosvenor, Haag, Hatfield, Heitmann, Hodge, Holloway, Holt, Johnson, Lewis, Loomis, Mack, Mann, Marx, McLain, Mesloh, Miller, Morris, Murlin, Myers of Fayette, Neff, Nelson, Newell, Newton, Ramsay, Richards, Richmond, Robb, Sherrick, Thompson of Lucas, Tryon, Van Meter, Walker and West—48.

So the House refused to commit.

The question then being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 48, nays 44, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Guernsey, Baker of Fairfield, Beach, Bell, Boyce, Cole, Coler, Cooley, Duncan, Geghan, Gordon, Green, Grosvenor, Haag, Hardy, Hatfield, Heitmann, Holt, Johnson, Lewis, Light, Loomis, Mack, Mann, Marx, McKinley, McLain, Mesloh, Miller, Morris, Murlin, Myers of Fayette, Nelson, Newell, Newton, Poe, Ramsay, Richards, Richmond, Robb, Sherrick, Thompson of Lucas, Tryon, Van Meter, Walker, West and White—48.

Those who voted in the negative were—

Messrs. Armstrong of Belmont, Baskin, Beatty, Blake, Brooke, Brunner, Case, Chapman of Meigs, Conklin, Conkright, Eshelman, Faxon, Harrison, Herron, Hill, Hoagland, Hodge, Holloway, Howland, Huston, Inman, Kemp, Martin, McCoy, Moorehead, Munson, Myers of Ashland, Neff, Norton, Oren, Parker, Pattison, Pearson, Ray, Sater, Scott, Sheppard, Stone, Thompson of Montgomery, Varley, Vincent, Watson, Weible and Williams—44.

So the bill, having failed to receive a constitutional majority, was lost.

On motion of Mr. White, the House adjourned.

Attest: THOMAS COUGHLIN, *Clerk.*

FRIDAY, FEBRUARY 27, 1874—10 o'clock A.M.

The House met pursuant to adjournment.

Prayer by the Rev. Samuel Weil, of the Hebrew Temple.

Leave of absence was asked and obtained as follows:

For Messrs. Martin, Holloway, Blake, Hardy, Inman, Herron, Morris, Mesloh, White, Harrison and Hodge until Tuesday next; for Messrs. Cooley and Neff for time indefinite; for Messrs. Howland, Armstrong of Belmont and Varley until Monday, and for Mr. Armstrong of Guernsey until Wednesday next.

The Journal of Wednesday and Thursday was read and approved.

Mr. Marx moved that the rules be suspended, and that the House take up S. B. No. 60 for consideration now.

Which was agreed to.

Mr. Boyce submitted the following report:

The committee on Revision have examined, and found correctly engrossed, amended H. B. No. 7, and amendment to S B. No. 60.

GEO. W. BOYCE, JOHNSON SHERRICK,
C. H. GROSVENOR, JON. MORRIS.

S. B. No. 60, to authorize the city of Toledo, in the State of Ohio, to borrow money, was then read the third time.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 71, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Baker of Fairfield, Baker of Perry, Barnett, Beach, Bell, Blake, Boyce, Brooke, Chapman of Meigs, Cole, Coler, Cooley, Conklin, Conkright, Duncan, Eshelman, Faxon, Geghan, Green, Haag, Hardy, Harrison, Hatfield, Heitmann, Herron, Hill, Hodge, Holloway, Huston, Johnson, Kemp, Lewis, Light, Loomis, Mack, Mann, Marx, Martin, McCloud, McLain, Mesloh, Moorehead, Morris, Munson, Murlin, Myers of Ashland, Myers of Fayette, Newell, Newton, Norton, Parker, Pattison, Pearson, Poe, Ramsay, Ray, Richards, Richmond, Sater, Scott, Sheppard, Sherrick, Thompson of Lucas, Thompson of Montgomery, Van Meter, Varley, Walker, West and Williams—71.

So the bill passed. The title was agreed to.

Mr. Hodge moved to reconsider the vote by which H. B. No. 90 failed to pass yesterday.

On which motion the yeas and nays were ordered, and resulted—yeas 58, nays 21, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Guernsey, Baker of Fairfield, Barnett, Beach, Bell, Blake, Boyce, Cole, Coler, Cooley, Duncan, Eshelman, Faxon, Ford, Geghan, Gowey, Green, Grosvenor, Haag, Hardy, Harrison, Heitmann, Herron, Hodge, Huston, Johnson, Kemp, Light, Loomis, Mack, Mann, Marx, Martin, McCloud, McLain, Mesloh, Miller, Morris, Murlin, Myers of Fayette, Neff, Newell, Newton, Norton, Poe, Ramsay, Richards, Richmond, Robb, Scott, Sheppard, Sherrick, Thompson of Lucas, Van Meter, Varley, Walker, West and Speaker—58.

Those who voted in the negative were—

Messrs. Baskin, Beatty, Brooke, Brunner, Chapman of Meigs, Conklin, Conkright, Hill, Hoagland, Holloway, Howland, Inman, Moorehead, Munson, Oren, Parker, Pattison, Sheppard, Thompson of Montgomery, Watson and Weible—21.

So the motion to reconsider was agreed to.

Mr. Hodge moved that the further consideration of the bill be postponed until Wednesday next, and that it be made the special order for half-past two o'clock P.M.

Which was disagreed to.

On motion of Mr. Hodge, the further consideration of said bill was postponed until Wednesday next.

Mr. Brunner presented the petition of Samuel Lutz and 43 other citizens of Wyandot county, praying for a curtailment in the salaries of State, district and county officers.

Which was referred to the committee on Fees and Salaries.

Mr. Heitmann presented the petition of W. A. Holmes, L. Emmert and 79 other citizens of Franklin county, praying to pass H. B. No. 214, providing for the election of police commissioners in certain cities.

Which was referred to the committee on Municipal Corporations.

Mr. Brunner presented the petition of A. C. Ward and thirty other citizens of Wyandot county, praying for a curtailment in the salaries of State, district and county officers.

Which was referred to the committee on Fees and Salaries.

Mr. Boyce presented the petition of John D. Vance, of Hamilton county, asking the allowance of his claim against the State of Ohio for $298.71 for expenses and outlay while engaged as a recruiting officer for the State of Ohio in 1863 and 1864.

Which was referred to the committee on Claims.

Mr. Beach presented the petition of A. Greenlee and forty other citizens of Knox county, praying for the passage of H. B. No. 35, for the protection of birds and land-holders.

Which was referred to the committee on Agriculture.

Mr. Hoagland presented the petition of Peter Painter and fourteen other citizens of Holmes county, praying for an amendment of the game laws so as to secure the owners and occupiers of land.

Which was referred to the committee on Agriculture.

Mr. Sherrick presented the petition of Joseph H. Mathews and sixty-two other citizens of Stark county, in reference to amending the school law.

Which was referred to the committee on Common Schools and School Lands.

Mr. Varley presented the petition of L. S. Brown and sixty-two other citizens of Washington county, remonstrating against the passage of H. B. No. 35, making it a crime, punishable by fine and imprisonment, to hunt or shoot game on the premises of another.

Which was referred to the committee on Agriculture.

Mr. Parker presented the petition of David Gaddis and four hundred and ten other citizens of Brown county, against any change of the Adair liquor law.

Which was referred to the committee on Temperance.

Mr. Blake presented the remonstrance of E. P. Brainard and one hundred other citizens of Ravenna, Portage county, remonstrating against the passage of H. B. No. 203, or any bill containing like provisions.

Which was referred to the committee on Common Schools and School Lands.

Mr. Beatty presented the petition of W. McAdams and seventy-three other citizens of Logan county, praying for an appropriation to drain swamp lands of said county.

Which was referred to the committee on Ditches, Drains and Watercourses.

Mr. Bell presented the petition of Geo. F. Moore and ninety-five other citizens of Licking county, asking for the improvement and enlargement of four culverts along the Ohio canal, in Madison township, in said county.

Which was referred to the committee on Public Works.

Mr. Heitmann presented the petition of John M. Webb, William Miller, and thirty-one other citizens of Columbus, Franklin county, praying to pass H. B. No. 214, providing for the election of police commissioners in certain cities.

Which was referred to the committee on Municipal Corporations.

The following bill was introduced on leave, and read the first time:

H. B. No. 250—By Mr. Munson: To provide for the repair of free turnpike roads.

Mr. Grosvenor, on leave, presented the memorial of W. W. Poston and four hundred and seventy-five other citizens of Athens county, remonstrating against the passage of any act by the Legislature to vacate the Hocking canal at Nelsonville.

Which was referred to the committee on Public Works.

Mr. Grosvenor presented the remonstrance of G. E. Clarke and twenty-eight other citizens of Athens county, against the Kemp bird and game bill.

Which was referred to the committee on Agriculture.

Mr. Grosvenor presented the memorial of J. M. Davies, representing that he has a claim for $6,000 for services rendered the State of Ohio.

Which was referred to the committee on Claims.

Mr. Grosvenor presented the petition of Sylvester Kontner and 150 other citizens of Athens county, praying for the vacation and abandonment of the Hocking canal from Nelsonville to Athens.

Which was referred to the committee on Public Works.

Mr. Grosvenor presented the memorial of Robert Clarke and Co., of Cincinnati, relating to the publication of the Ohio State Reports.

Which was referred to the committee on Judiciary.

On motion of Mr. Eshelman, the House then resolved itself into committee of the Whole upon the orders of the day—H. B. No. 175—Mr. Conklin in the chair. After sometime spent therein, the committee rose, reported progress, and asked leave to sit again.

Which was agreed to.

The following bills were introduced on leave, and read the first time:

H. B. No. 251—By Mr. Green: Supplementary to the several acts relating to the collection of delinquent taxes.

H. B. No. 252—By Mr. Archer: To amend sections 1, 5 and 9 of an act entitled an act to establish boards of control, and to prescribe their duties, passed March 13, 1872.

Mr. Miller, on leave, submitted the following report:

The committee on Municipal Corporations, to whom was referred H. B. No. 193, to authorize the trustees of Champaign township, Trumbull county, to levy a tax to purchase a hearse, having had the same under consideration, report it back, with the following amendments, and recommend its passage as amended:

In section 2, lines four and five, strike out all after the word "yes," and insert: "then the trustees are hereby authorized to levy and assess the tax upon the taxable property of the township as provided in section one of this act.

E. W. Miller, Guido Marx,
Wm. Bell, Jr., O. J. Hodge.

The amendments were agreed to; and said bill was then ordered to be engrossed, and read the third time Wednesday next.

On motion of Mr. Myers of Ashland, the House took a recess.

HALF-PAST TWO O'CLOCK P.M.

The House met pursuant to recess.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The following bills have been introduced in the Senate and read the first time:

S. B. No. 106—By Mr. Potter: To amend sections 61, 62, 82, 453, 581, 591, 640 and 648 of the municipal code.

S. B. No. 107—By Mr. Corwin: To extend the provisions of the act entitled an act to promote and encourage law library associations, passed April 27, 1872. (Vol. 69 O. L., p. 165.)

Attest: S. K. DONAVIN, *Clerk.*

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has concurred in the passage of the following bills:

H. B. No. 54: For the relief of Bedford township, Meigs county, Ohio.

H. B. No. 199: To authorize the board of education of Hocking township, Fairfield county, to issue bonds to raise money for erecting two new school-houses, and to levy a tax to pay said bonds.

Attest: S. K. DONAVIN, *Clerk.*

The following bills were read the second time:

S. B. No. 78: To amend sections 23, 24 and 25 of an act for the reorganization and maintenance of common schools, passed May 1, 1873.

Referred to the committee on Common Schools and School Lands.

S. B. No. 89: To amend an act entitled an act to establish a code of criminal procedure for the State of Ohio, passed May 6, 1869.

Referred to the committee on Judiciary.

H. B. No. 243: To authorize the abandonment of a part of the Miami and Erie canal.

Referred to the committee on Public Works.

Mr. Howland moved to suspend the rules of the House, and that H. B. No. 209 be now taken up.

Which was unanimously agreed to.

H. B. No. 209, to authorize the filling of vacancies in the boards of trustees of townships, was then read the third time.

Mr. Ramsay moved to refer the bill to a select committee of one, with instructions to amend as follows: In section 1, line four, strike out the words "justices of the peace," and insert "township clerk."

Which was disagreed to.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 64, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Baker of Fairfield, Baskin, Beach, Beatty, Boyce, Brooke, Brunner, Cole, Conklin, Conkright, Duncan, Eshelman, Faxon, Ford, Gowey, Grosvenor, Haag, Harrison, Hatfield, Heitmann, Hill, Hoagland, Howland, Huston, Johnson, Kemp, Lewis, Light, Loomis, Mack, Mann, McCloud, McLain, Mesloh, Moorehead, Morris, Munson, Myers of Fayette, Neff, Newell, Newton, Norton, Oren, Parker, Pearson, Poe, Ramsay, Ray, Richmond, Sater, Scott, Sheppard, Sherrick, Thompson of Lucas, Thompson of Montgomery, Van Meter, Varley, Walker, Watson, West and Williams—64.

So the bill passed. The title was agreed to.

The House then resumed the second reading of bills, as follows:

H. B. No. 244: To authorize the issuing of bonds, and to regulate the making of contracts in certain cities.

Referred to the committee on Municipal Corporations.

H. B. No. 245: To authorize the trustees of Atwater township, Portage county, to levy a tax for certain purposes therein named.

Referred to the committee on Municipal Corporations.

H. B. No. 246: To amend section 439 of an act entitled an act to provide for the organization and government of municipal corporations, passed May 7, 1869.

Referred to the committee on the Judiciary.

H. B. No. 247: For the protection of livery-stable keepers and others.

Referred to the committee on the Judiciary.

H. B. No. 248: To prohibit and punish certain offenses therein mentioned.

Referred to the committee on Railroads and Telegraphs.

H. B. No. 249: To authorize boards of education to purchase text-books.

Referred to the committee on Common Schools and School Lands.

Mr. Neff, on leave, presented the petition of Holloway & Son and 105 other citizens of Clarke county, for a law to protect livery-stable keepers.

Which was referred to the committee on Judiciary.

The following bills were introduced on leave, and read the first time:

H. B. No. 253—By Mr. Haag: For the relief of David L. Wood, ex-Quartermaster-General of the State.

H. B. No. 254—By Mr. Myers of Fayette: Supplementary to an act entitled an act to provide for locating and establishing ditches, drains and water-courses in townships, passed May 6, 1868.

H. B. No. 255—By Mr. Thompson of Montgomery: To amend section 60 of an act to provide for the organization and government of municipal corporations, passed May 7, 1869, as amended April 18, 1870.

Mr. Baskin submitted the following report:

The committee on Agriculture, to whom was referred H. B. No. 35, to protect land-holders, having had the same under consideration, report it back, with the following amendments:

In line two, section 1, after the word "the," insert the word "inclosed."

In line three, section 1, strike out all the words after "another" to the word "to," in said line.

In line one, section 2, after the word "person," insert the words "or persons."

In line two, section 2, after the word "five," strike out the word "dollars."

In line three, section 2, strike out the word "twenty," and insert the word "ten;" and after the word "dollars" strike out all the words in said line, and insert the words "for each offense and."

In line four, strike out all of said line, and insert the words "stand committed until all damages, fine and costs are paid."

MILT. MCCOY, ROBERT BARNETT,
THOS. H. BASKIN, H. H. MACK,
T. E. SATER, J. F. THOMPSON.

On motion of Mr. Grosvenor, said report was laid on the table, and the bill and amendments ordered to be printed.

On motion of Mr. Baker of Fairfield, bills on the calendar for third reading were postponed until Tuesday next.

The following bills were introduced on leave, and read the first time:

H. B. No. 256—By Mr. Haag: To provide for the introduction and efficiency of testimony in certain cases.

H. B. No. 257—By Mr. McCloud: Supplementary to an act entitled an act to authorize the county commissioners to construct roads on petition of a majority of resident land-owners along and adjacent to the line of said road, and to repeal an act therein named, passed and took effect March 29, 1867, and supplementary to the act amendatory thereof.

Mr. Conklin submitted the following report:

The committee on Claims, to whom was referred S. J. R. No. 23, as to auditing the expenses incurred by committees of the two Houses of the General Assembly, having had the same under consideration, report it back, and recommend that the same be adopted.

WM. T. CONKLIN,	GEO. S. BAKER,
O. CASE,	J. W. NELSON,
B. NEFF,	O. B. CHAPMAN.
F. R. LOOMIS,	

The question being on the adoption of said resolution, the yeas and nays were ordered, and resulted—yeas 55, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Baker of Fairfield, Baskin, Beach, Beatty, Boyce, Brooke, Chapman of Meigs, Cole, Cooley, Conklin, Eshelman, Faxon, Ford, Geghan, Gowey, Green, Grosvenor, Hatfield, Heitmann, Hoagland, Howland, Huston, Kemp, Lewis, Light, Loomis, Mack, Mann, McCloud, McLain, Moorehead, Munson, Myers of Ashland, Myers of Fayette, Neff, Newell, Newton, Oren, Pearson, Poe, Ramsay, Ray, Richmond, Robb, Sater, Scott, Thompson of Lucas, Thompson of Montgomery, Van Meter, Walker, Watson, West and Williams—55.

So the resolution was adopted.

Mr. Baker of Fairfield submitted the following report:

The committee on Fees and Salaries, to whom was referred H. B. No. 218, to amend section 32 of an act for the relief of the poor, and to repeal certain acts therein named, having had the same under consideration, report it back, and recommend its engrossment and passage.

GEO. S. BAKER,	WM. W. BEATTY,
M. A. HOAGLAND,	LEBBEUS COLE,
J. C. VINCENT,	GEO. JOHNSON.
WM. T. CONKLIN,	

Said bill was ordered to be engrossed, and read the third time Thursday next.

Mr. Baker of Fairfield submitted the following report:

The committee on Fees and Salaries, to whom was referred H. B. No. 222, to amend an act entitled an act limiting the compensation of certain officers therein named, passed April 6, 1870, and repealing section 1 of said act, and to amend section 5 of said act, as amended by an act entitled an act to amend an act limiting the compensation of certain officers therein named, passed February 14, 1873, and repealing said section 5, having had the same under consideration, report it back, with the following amendment, and recommend that when so amended it be engrossed and passed:

In section 2, line 18, strike out "five hundred."

GEO. S. BAKER,	GEO. JOHNSON,
M. A. HOAGLAND,	WM. T. CONKLIN,
J. C. VINCENT,	WM. W. BEATTY.
LEBBEUS COLE,	

The amendment was agreed to, and said bill ordered to be engrossed, and read the third time Tuesday next.

Mr. Heitmann submitted the following report:

The committee on Judiciary, to whom was referred H. B. No. 181, to

attach Pickaway county to the second sub-division of the fifth judicial district, having had the same under consideration, report it back, and recommend its engrossment and passage.

J. M. HAAG, J. M. PATTISON,
J. H. HEITMANN, J. SCOTT,
C. C. ARCHER, C. H. GROSVENOR,
T. M. ROBB, WM. W. BEATTY.
W. P. HOWLAND,

Said bill was ordered to be engrossed, and read the third time Wednesday next.

Mr. Howland submitted the following report:

The committee on Judiciary, to whom was referred S. B. No. 51, supplementary to the code of criminal procedure for the State, and to provide for the mode of taking bail in criminal cases, and the justification of sureties therein, having had the same under consideration, report it back, and recommend its engrossment and passage.

W. P. HOWLAND, C. C. ARCHER,
T. M. ROBB, J. M. PATTISON,
J. M. HAAG, J. H. HEITMANN.

Said bill was ordered to be engrossed, and read the third time Wednesday next.

Mr. Oren submitted the following report:

The committee on Railroads and Telegraphs, to whom was referred S. B. No. 4, to amend section 13 of the act of May 1, 1852, entitled an act to provide for the creation and regulation of incorporated companies in the State of Ohio, as amended April 25, 1873, having had the same under consideration, report it back, with the following amendments, and recommend that it be engrossed and passed as amended:

In line 18, section 13, strike out the word "ten," and insert the word "thirty."

After the word "aggrieved," in line 34, section 13, insert as follows: "for every such overcharge."

In line 39, section 13, strike out the words "and fifty."

Strike out all after the word "dollars," in line 39, section 13, to the end of the section.

J. N. OREN, J. E. PEARSON,
M. A. HOAGLAND, THOS. H. BASKIN.

Mr. Williams moved to amend the amendments as follows:

In section 13, line eighteen, strike out "30" and insert "20."

Which was disagreed to.

The amendments, as reported by the committee, were then agreed to.

Said bill was then ordered to be engrossed, and read the third time Thursday next.

Mr. Watson submitted the following report:

The committee on New Counties and County Affairs, to whom was referred H. B. No. 168, authorizing the commissioners of Hamilton county to build a new bridge and approaches on or below the present Union bridge site, having had the same under consideration, report it back, with the following amendments, and recommend its engrossment and passage:

Strike out all after the word "mark," in line five of section 1, to the word "for," in line thirteen of the same section.

Insert after the word "mark," in line five, section 1, "Provided, that

the approaches shall be first constructed, and that the residue of the fund hereby authorized to be raised shall be applied to the construction of the bridge."

Insert the word "and" between "1874" and "1875," in line fifteen of section 1, and strike out the words "and 1876," in the same line.

Insert after the word "county," in line five of section 2, the words following: "to be disposed of at not less than their par value."

Strike out "six," in line nine of section 2, and insert in lieu thereof "eight."

HIRAM MURLIN, R. RAMSAY,
JAMES WATSON, SHELDEN NEWTON,
J. B. RAY, E. M. WALKER.

The amendments were agreed to, and said bill ordered to be engrossed, and read the third time Thursday next.

Mr. Howland submitted the following report:

The committee on Judiciary, to whom was referred H. B. No. 153, to amend an act entitled an act to amend section 14 of an act entitled an act concerning the relation of guardian and ward, passed April 12, 1858, passed and took effect March 31, 1864, having had the same under consideration, report it back, and recommend its indefinite postponement.

W. P. HOWLAND, J. SCOTT,
J. M. PATTISON, J. M. HAAG,
C. H. GROSVENOR, C. C. ARCHER,
J. H. HEITMANN, T. M. ROBB.

Mr. Van Meter offered a substitute for said H. B. No. 153.

Mr. Oren moved that the bill be laid on the table, and that the substitute be printed.

Which was agreed to.

Mr. Hoagland submitted the following report:

The committee on Railroads and Telegraphs, to whom was referred H. B. No. 134, to amend an act entitled an act to amend an act regulating the charges for transportation of freight upon railroads within this State, having had the same under consideration, report it back, and recommend its indefinite postponement.

M. A. HOAGLAND, T. B. WILLIAMS,
J. E. PEARSON, THOS. H. BASKIN.
J. N. OREN,

The report was agreed to, and said bill indefinitely postponed.

Mr. Huston submitted the following report:

The select committee of ten to whom was referred H. B. No. 53, authorizing the board of commissioners of Hamilton county, Ohio, to distribute the Cincinnati and Carthage road fund, and to repeal certain local and special acts therein named, having had the same under consideration, report it back, with the following amendments, and recommend its passage:

In line one, section 2, after the word "Ohio," strike out the words "after converting," and insert in lieu thereof the words "are hereby authorized and required to convert."

Insert in line three, section 1, after the word "road," the word "and."

In line four, section 1, after the word "act," strike out the word "vesting," and insert the words "shall vest."

In line five, section 1, after the word "which," strike out the word "it," and insert the words "said road."

In line six, section 1, strike out all after the word "roads" to the end of the section, and insert "and it is hereby provided that the said board of commissioners shall expend the entire amount of the assets of said road outside of the corporate limits of Cincinnati as the same may be required."

T. E. SATER, GEO. W. BOYCE,
PAUL A. J. HUSTON, C. C. ARCHER,
JOHN J. GEGHAN, JAS. S. GORDON.
EDWIN W. MILLER,

The amendments were agreed to, and said bill ordered to be engrossed, and read the third time Wednesday next.

Mr. Myers of Ashland submitted the following report:

The select committee of one to whom was referred H. B. No. 204, to change the time for holding the second term of the court of common pleas for the year 1874 for the county of Ashland, having had the same under consideration, reports it back, with the following amendments:

In section 1, line three, change the word "judge" to "judges." In the same section, in line four, after the word "term" insert the word "shall," and with said changes recommends its engrossment and passage.

BENJ. MYERS.

The amendments were agreed to.

Said bill was then ordered to be engrossed, and read the third time Thursday next.

Mr. Baker of Coshocton presented the remonstrance of Francis Wolf and 41 other citizens of Coshocton county, against the repeal of a certain law found in Vol. 69, p. 236, 1872, by which a sub-school district in Franklin township, Coshocton county, Ohio, was created.

Which was referred to the committee on Common Schools and School Lands.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has passed the following bill, in which the concurrence of the House of Representatives is requested:

S. B. No. 87—By Mr. Hudson: To amend sections 9 and 10 of an act entitled an act for the organization and government of municipal corporations, passed May 7, 1869. (O. L., Vol. 66, pp. 149–286)

Attest: S. K. DONAVIN, *Clerk.*

Said bill was read the first time.

The Speaker laid before the House a communication from the Secretary of State in regard to published reports of the Constitutional Convention.

Mr. Scott offered the following resolution:

H. R. No. 76: WHEREAS, Reflections have been made on the official conduct of the Secretary of State in making contracts for the State, by a standing committee of the Constitutional Convention; and

WHEREAS, The Secretary of State has asked of this House an investigation; therefore

Resolved, That there be a committee of five appointed by the Speaker to investigate the matter and report the testimony, and their conclusions thereon, at an early day; and that said committee have power to send for persons and papers.

Mr. Haag gave notice of a desire to discuss said resolution; so, under the rule, it was laid on the table.

Mr. Scott moved to suspend the rule of the House, and that the resolution be acted upon now.

Mr. Brunner demanded a call of the House, which was duly seconded.

Sixty-five members answered to their names.

The Sergeant-at-Arms was dispatched for absentees.

Mr. Mann moved that all further proceedings under the call be dispensed with.

Which was agreed to.

The question then recurring on Mr. Scott's motion to suspend the rule, the yeas and nays were ordered, and resulted—yeas 27, nays 31, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Belmont, Beatty, Conkright, Duncan, Faxon, Ford, Grosvenor, Harrison, Howland, Johnson, Loomis, Mack, Mann, McLain, Miller, Munson, Myers of Fayette, Newton, Oren, Ramsay, Ray, Richmond, Scott, Sherrick, Thompson of Lucas, West and Williams—27.

Those who voted in the negative were—

Messrs. Baker of Coshocton, Baker of Fairfield, Barnett, Baskin, Beach, Boyce, Brooke, Brunner, Cole, Conklin, Eshelman, Geghan, Green, Haag, Hatfield, Heitmann, Hill, Huston, Kemp, McCloud, Moorehead, Parker, Pattison, Pearson, Poe, Robb, Sater, Sheppard, Thompson of Montgomery, Van Meter and Varley—31.

So the House refused to suspend the rule.

Mr. Scott then offered for adoption the following resolution:

H. J. R. No. 28: *Resolved by the General Assembly of the State of Ohio*, That this sixty-first General Assembly adjourn on Tuesday, March 16, 1874, at 12 o'clock M., to meet on the second Tuesday of January, 1875.

Mr. Haag gave notice of a desire to discuss said resolution; so, under the rule, it was laid on the table.

Mr. Haag moved that the House do now adjourn.

On which motion the yeas and nays were demanded, ordered, and resulted—yeas 37, nays 22, as follows:

Those who voted in the affirmative were—

Messrs. Baker of Coshocton, Baker of Fairfield, Baskin, Beach, Boyce, Brooke, Brunner, Cole, Conklin, Eshelman, Ford, Geghan, Green, Haag, Hatfield, Heitmann, Hill, Huston, Kemp, Light, McCloud, Miller, Moorehead, Myers of Ashland, Norton, Oren, Pattison, Pearson, Poe, Ramsay, Robb, Sater, Sheppard, Thompson of Lucas, Thompson of Montgomery, Van Meter and West—37.

Those who voted in the negative were—

Messrs. Armstrong of Belmont, Beatty, Conkright, Duncan, Faxon, Grosvenor, Harrison, Hoagland, Howland, Johnson, Loomis, Mack, Mann, McLain, Munson, Myers of Fayette, Parker, Ray, Richmond, Scott and Varley—22.

So the motion was agreed to, and the House adjourned.

Attest: THOMAS COUGHLIN, *Clerk.*

SATURDAY, FEBRUARY 28, 1874—10 o'clock A.M.

The House met pursuant to adjournment.

The Journal was read and approved.

Mr. Heitmann presented the remonstrance of T. E. Miller, Wm. Quinn and 65 other citizens of Franklin county, against the passage of H. B. No. 196, entitled a bill for the protection of persons purchasing transportation tickets for passage on railway and steam navigation lines.

Which was referred to the committee on Railroads and Telegraphs.

Leaves of absence were asked and obtained as follows:

For Messrs. Van Meter, Gowey and Kemp, until Tuesday next; for Messrs. McCoy, Bay and Chapman of Cuyahoga, for time indefinite; and for Mr. Brooke, until Wednesday next.

Mr. Johnson presented the petition of W. A. Marsh and 18 other citizens of Scioto county, for the repeal of section 2 of an act passed April 13, 1865, entitled an act to restrain from running at large certain animals therein named.

Which was referred to the committee on Agriculture.

On motion of Mr. Ford, the House adjourned.

Attest: THOMAS COUGHLIN, *Clerk.*

MONDAY, MARCH 2, 1874—10 o'clock A.M.

The House met pursuant to adjournment.

Prayer by the Rev. R. J. Laidlaw.

The Journal of Saturday was read and approved.

Mr. Haag presented a report of John W. Erwin, resident engineer of the Miami and Erie canal, relating to the St. Mary's reservoir and the deficiency of water supply for said canal.

Which was referred to the committee on Public Works.

Mr. Heitmann presented the remonstrance of M. H. Peters, Charles H. Moore and 44 other citizens of Franklin county, remonstrating against the passage of H. B. No. 196, for the protection of persons purchasing transportation tickets for passage on railway and steam navigation lines.

Which was referred to the committee on Railroads and Telegraphs.

Mr. Heitmann presented the remonstrance of O. A. B. Senter, H. L. Mann and 70 other citizens of Franklin county, remonstrating against the passage of H. B. No. 196, for the protection of persons purchasing transportation tickets for passage on railway and steam navigation lines.

Which was referred to the committee on Railroads and Telegraphs.

Mr. Myers of Ashland presented the petition of Dr. P. H. Clark and 59 other citizens of Ashland county, praying that the General Assembly pass a special law enabling the commissioners of Ashland county to sell their present county infirmary buildings and farm, and purchase another farm and erect buildings thereon.

Which was referred to the committee on New Counties and County Affairs.

The following bills were read the second time:

H. B. No. 250: To provide for the repair of free turnpike roads.

Referred to the committee on Turnpikes.

H. B. No. 251: Supplementary to the several acts relating to the collection of delinquent taxes.

Referred to the committee on Finance.

H. B. No. 252: To amend sections 1, 5 and 9 of an act entitled an act to establish boards of control, and to prescribe their duties, passed March 13, 1872.

Referred to the committee on Municipal Corporations.

H. B. No. 253: For the relief of David L. Wood, ex-Quartermaster General of the State.

Referred to the committee on the Judiciary.

H. B. No. 254: Supplementary to an act entitled an act to provide for locating, establishing and constructing ditches, drains and water-courses in townships, passed May 6, 1868.

Referred to the committee on Ditches, Drains and Water-courses.

H. B. No. 255: To amend section 60 of an act to provide for the organization and government of municipal corporations, passed May 7, 1869, as amended April 18, 1870.

Referred to the committee on Municipal Corporations.

H. B. No. 256: To provide for the introduction and efficiency of testimony in certain cases.

Referred to the committee on the Juciciary.

S. B. No. 87: To amend sections 9 and 10 of an act entitled an act for the organization and government of municipal corporations, passed May 7, 1869.

Referred to the committee on Municipal Corporations.

On motion of Mr. Haag, the House took a recess.

HALF-PAST TWO O'CLOCK P M.

Mr. Scott demanded a call of the House. Forty-three members answered to their names.

The absentees were Messrs. Archer, Armstrong of Belmont, Armstrong of Guernsey, Baker of Coshocton, Baker of Fairfield, Baskin, Bay, Beatty, Blake, Brooke, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Coler, Cooley, Eidson, Ford, Geghan, Gowey, Gordon, Grosvenor, Hardy, Harrison, Hatfield, Haven, Herron, Hodge, Holloway, Holt, Howland, Inman, Kemp, Marx, Martin, McCloud, McCoy, McKinley, McLain, Mesloh, Miller, Morris, Munson, Murlin, Neff, Nelson, Newell, Pearson, Poe, Richards, Richmond, Sheppard, Sherrick, Thompson of Lucas, Thompson of Montgomery, Tryon, Varley, Walker, Watson, Weible, White and Williams.

The Sergeant-at-Arms was dispatched for absentees.

Messrs. Mann, Robb and McCloud appeared within the bar of the House and answered to the call.

Mr. Johnson moved that the House do now adjourn.

On which the yeas and nays were demanded, ordered, and resulted—yeas 5, nays 37, as follows:

Those who voted in the affirmative were—

Messrs. Baker of Perry, Duncan, Loomis, Oren and Ramsay—5.

Those who voted in the negative were—

Messrs. Barnett, Baskin, Beach, Bell, Boyce, Brunner, Case, Cole, Conklin, Conkright, Eshelman, Faxon, Green, Haag, Heitmann, Hill, Hoagland, Huston, Johnson, Lewis, Light Mack, Mann, McCloud, Moorehead, Myers of Ashland, Myers of Fayette, Norton, Parker, Pattison, Poe, Ray, Robb, Sater, Scott, Stone, Vincent and West—37.

So the House refused to adjourn.

Messrs. Poe and Chapman of Cuyahoga appeared within the bar of the House and answered to the call.

On motion of Mr. Brunner, the House adjourned.

Attest: THOMAS COUGHLIN, *Clerk.*

TUESDAY, MARCH 3, 1874—10 o'clock A.M.

The House met pursuant to adjournment.

Prayer by the Rev. Robert J. Laidlaw.

The Journal was read and approved.

Leave of absence for an indefinite time was granted Mr. Tryon.

Mr. Oren presented the petition of A. H. Harlan, W. B. Hamilton and 135 other citizens of New Burlington, Clinton county, praying that the Legislature pass H. B. No. 122, to prohibit the importation, manufacture and sale of intoxicating liquors as a beverage in the State of Ohio.

Which was referred to the committee on Temperance.

Mr. Heitmann presented the remonstrance of Randall & Aston and 35 other citizens of Franklin county, remonstrating against the passage of H. B. No. 196, for the protection of persons purchasing transportation tickets for passage on railway and steam navigation lines.

Which was referred to the committee on Railroads and Telegraphs.

Mr. Pattison submitted the following report:

The joint committee on Enrollment have examined, and found correctly enrolled, the following bill:

H. B. No. 105: To repeal an act entitled an act for encouragement of the Coshocton union school, passed March 19, 1851.

J. M. PATTISON, J. C. FISHER,
L. A. BRUNNER, A. M. BURNS,
E. B. PARKER, S. KNOX,
H. M. CHAPMAN. M. C. LAWRENCE.

The Speaker then, in the presence of the House, signed said bill.

Mr. Pattison submitted the following report:

The joint committee on Enrollment have examined, and found correctly enrolled, the following bill:

H. B. No. 52: To amend an act entitled an act for the reorganization and maintenance of common schools, passed May 1, 1873.

O. B. CHAPMAN, A. M. BURNS,
HENRY HARDY, S. KNOX,
J. M. PATTISON, M. C. LAWRENCE.
E. B. PARKER, J. C. FISHER.

The Speaker then, in the presence of the House, signed said bill.

Mr. Boyce submitted the following report:

The committee on Revision have examined, and found correctly engrossed, House Bills Nos. 9 and 222.

GEO. W. BOYCE, E. B. PARKER,
JOHNSON SHERRICK, WM. M. MCKINLEY.

Leave of absence was granted the committee on Roads and Highways until 2 o'clock P.M. this day.

Mr. Ray presented the petition of S. N. Cutler and 36 other citizens of Pike county, asking the Board of Public Works to have removed the guard-lock near Jasper to a more suitable place.

Which was referred to the committee on Public Works.

Mr. Haven presented the remonstrance of J. R. Pye and 200 other citizens of Hamilton county, against the passage of H. B. No. 196, for the protection of persons purchasing railroad tickets.

Which was referred to the committee on Railroads and Telegraphs.

The Speaker laid before the House a communication from the President of the Constitutional Convention.

Mr. Brunner offered the following resolution:

H. R. No. 77: WHEREAS, The Constitutional Convention now in session at Cincinnati, have, upon investigation by a committee, discovered irregularities in the stationery accounts, implicating thereby the official integrity of the Secretary of State; and

WHEREAS, The action of the Constitutional Convention in the premises has been brought to the attention of this House in an official communication; and

WHEREAS, The Secretary of State has, in a letter addressed to the Speaker of this House, asked an investigation of these charges; therefore

Resolved, That a committee of five be appointed by the Speaker, to whom all communications bearing on this subject shall be committed, and whose duty it shall be to investigate the matter; and to aid them in said examination, the committee be empowered to send for persons and papers; and that said committee be requested to report the testimony and its conclusions at an early day to this House.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has adopted the following joint resolution, in which the concurrence of the House of Representatives is requested:

S. J. R. No. 28—By Mr. Jones: Appointing a committee to investigate matters relative to furnishing stationery supplies by the Secretary of State.

Attest: S. K. DONAVIN, *Clerk.*

On motion of Mr. Haag, the resolution of Mr. Brunner and the communication of the President of the Constitutional Convention were laid on the table.

On motion of Mr. Haag, the blank in S. J. R. No. 28 was filled with the word "three," on the part of the House.

The question being on the adoption of the resolution, the yeas and nays were ordered, and resulted—yeas 69, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Baker of Coshocton, Baskin, Bay, Beach, Bell, Boyce, Brunner, Case, Chapman of Cuyahoga, Chapman of Meigs, Cole, Coler, Conkright, Duncan, Eshelman, Faxon, Ford, Green, Grosvenor, Haag, Harrison, Hatfield, Heitmann, Herron, Hill, Hoagland, Hodge, Holloway, Holt, Howland, Huston, Johnson, Kemp, Lewis, Light, Loomis, Mack, Mann, McCloud, McKinley, McLain, Mesloh, Moorehead, Murlin, Myers of Ashland, Myers of Fayette, Newton, Norton, Oren, Parker, Pattison, Poe, Ramsay, Ray, Richards, Richmond, Robb, Sater, Scott, Sheppard, Sherrick, Stone, Thompson of Lucas, Thompson of Montgomery, Van Meter, Vincent, Walker, Watson and West—69.

So the resolution was adopted.

Messrs. Robb, Brunner and Ford were appointed said committee.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The following bills have been introduced in the Senate, and read the first time:

S. B. No. 108—By Mr. Kerr: To amend sections 26 and 161 of an act entitled an act to provide for the settlement of the estates of deceased persons, passed March 23, 1840. (S. & C., pp. 571 and 597.)

S. B. No. 109—By Mr. Curtis: To provide for the security of public moneys.

S. B. No. 110—By Mr. Butterworth: To amend an act entitled an act to provide for the organization and government of municipal corporations, passed May 7, 1869.

Attest: S. K. DONAVIN, *Clerk.*

Mr. Mack presented a resolution adopted by the Prohibition Convention held at Mt. Vernon February 26th, 1874.

On motion of Mr. Mack, said resolution was read at the Clerk's desk, and referred to the committee on Temperance.

Mr. Chapman of Cuyahoga presented the remonstrance of Samuel Foljambe and fifty-three other citizens of Cuyahoga county, remonstrating against any change in the present liquor law, commonly called the Adair law.

Which was referred to the committee on Temperance.

Mr. Haven presented the remonstrance of W. A. Bosworth and sixty-five other citizens of Hamilton county, against any amendments of the Adair liquor law.

Which was referred to the committee on Temperance.

Mr. Haven presented the remonstrance of the Board of Education of Cincinnati against the passage of H. B. No. 196, in reference to Cincinnati public library, and also against the bill for limiting the rate of taxation for school purposes to three mills.

Which was referred to the committee on the Judiciary.

Mr. West presented the petition of Wilson Barber and thirty-five other citizens of Clermont county, members of New Richmond Grange, No. 188, Patrons of Husbandry, asking for the passage of a law to protect landowners and preserve game.

Which was referred to the committee on Agriculture.

Mr. Mack presented the petition of Allen Welton and nine other citizens of Summit county, praying that the commissioners of any county have the power, on application of a majority of the freeholders along the line of any road, to reduce the width of said road from sixty to forty feet.

Which was referred to the committee on Roads and Highways.

Mr. Conklin presented the petition of E. B. Decker and 123 other citizens of Franklin county, praying for the construction of two new culverts under the Ohio canal at points within the corporate limits of the village of Canal Winchester, Franklin county, Ohio.

On motion of Mr. Conklin, said petition was read at the Clerk's desk, and referred to the committee on Public Works.

H. B. No. 74, to amend section two of an act entitled an act supplementary to an act entitled an act to preserve the purity of elections, passed May 5, 1868, was read the third time.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 66, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Baker of Coshocton, Baker of Perry, Baskin, Beach, Beatty, Bell, Boyce, Case, Chapman of Cuyahoga, Chapman of Meigs, Coler, Conklin, Duncan, Eshelman, Faxon, Ford, Green, Grosvenor, Harrison, Hatfield, Haven, Hill, Hoagland, Hodge, Holloway, Holt, Howland, Huston, Johnson, Kemp, Lewis, Light, Loomis, Mack, Mann, McCloud, McKinley, McLain, Mesloh, Miller, Munson, Murlin, Myers of Ashland, Myers of Fayette, Newton, Norton, Oren, Parker, Pattison, Poe, Ray, Richards, Richmond, Robb, Sater, Scott, Sheppard, Sherrick, Thompson of Lucas, Thompson of Montgomery, Van Meter, Vincent, Walker, Watson and West—66.

So the bill passed. The title was agreed to.

H. B. No. 102, to authorize the commissioners of Guernsey county to transfer to the townships of Beaver, Buffalo, Seneca and Wayne, in Noble county, certain railroad stocks held by said Guernsey county, and the payment to said townships of dividends received by said county on said stock, also all the taxes collected by said county on a certain amount of said railroad lying and being in said Noble county, was read the third time.

On motion of Mr. Van Meter, the further consideration of said bill was postponed until to-morrow.

H. B. No. 165, to create original fractional township eight, north, range twelve, east, in Wood county, Ohio, and the part of township three, United States reserve, lying west of and between said township eight and Maumee river, into a separate civil township, was read the third time.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 66, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Guernsey, Baker of Coshocton, Baker of Perry, Baskin, Bay, Beach, Beatty, Bell, Boyce, Case, Chapman of Cuyahoga, Chapman of Meigs, Cole, Coler, Conklin, Duncan, Eshelman, Faxon, Green, Grosvenor, Haag, Harrison, Hatfield, Haven, Herron, Hill, Hodge, Holloway, Holt, Howland, Huston, Johnson, Kemp, Lewis, Light, Loomis, Mack, Mann, McCloud, McKinley, McLain, Mesloh, Munson, Murlin, Myers of Ashland, Myers of Fayette, Norton, Oren, Parker, Pattison, Poe, Ramsay, Ray, Richards, Richmond, Robb, Sater, Scott, Sheppard, Sherrick, Thompson of Lucas, Thompson of Montgomery, Van Meter, Vincent, Walker and West—66.

So the bill passed. The title was agreed to.

On motion of Mr. Boyce, the House resolved itself into committee of the Whole on the order of the day—H. B. No. 175—Mr. Conklin in the chair. After some time spent therein, the committee rose, reported progress, and asked leave to sit again.

Which was agreed to.

On motion of Mr. Baker of Coshocton, the House took a recess.

HALF-PAST TWO O'CLOCK P.M.

H. B. No. 167, supplementary to an act entitled an act prescribing the duties of county auditors, passed and took effect April 4th, 1859, as amended January 11, 1873, was read the third time.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 61, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Baker of Coshocton, Barnett, Bay, Beatty, Boyce, Brunner, Case, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Cole, Conklin, Conkright, Duncan, Eshelman, Faxon, Gordon, Green, Haag, Harrison, Hatfield, Haven, Heitmann, Herron, Hoagland, Hodge, Holloway, Holt, Huston, Johnson, Lewis, Mack, Mann, Marx, McCloud, McKinley, McLain, Mesloh, Miller, Munson, Murlin, Myers of Fayette, Nelson, Norton, Parker, Pattison, Pearson, Ramsay, Ray, Richards, Robb, Sater, Scott, Sheppard, Sherrick, Stone, Thompson of Montgomery, Van Meter, Vincent and Williams—61.

So the bill passed. The title was agreed to.

Mr. Chapman of Cuyahoga submitted the following report:

The joint committee on Enrollment have examined, and found correctly enrolled, the following bills:

H. B. No. 124: To amend an act entitled an act to amend section 62 of an act entitled an act to establish a code of criminal procedure for the State of Ohio, passed May 6, 1869, passed January 29, 1873.

H. B. No. 172: To attach the north half of section twenty-eight (28), town seven (7), south, range six (6), east, to joint sub-district number seven (7), Franklin township, Shelby county, Ohio.

H. M. CHAPMAN, J. C. FISHER,
J. M. PATTISON, M. C. LAWRENCE,
E. B. PARKER, A. M. BURNS,
O. B. CHAPMAN, S. KNOX.

The Speaker, in the presence of the House, signed said bills.

Mr. Scott, on leave, offered for adoption the following resolution:

H. R. No. 78: *Resolved*, That the Superintendent of the Athens Lunatic Asylum be and he is hereby requested to report to this House at the very earliest moment the average number of patients there will likely be in the Athens Asylum in the year commencing February 15, 1874, and ending February 15, 1875, and the amount it will be necessary to appropriate to meet the current expenses of the same per capita for said year, economically expended.

Mr. Eshelman moved to amend the resolution by striking out the word "likely."

Which was agreed to.

The resolution, as amended, was then adopted.

H. B. No. 178, to transfer Shelby county from the first sub-division of the third judicial district to the second sub-division of said district, was read the third time.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 80, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Baker of Coshocton, Baker of Perry, Barnett, Baskin, Bay, Beatty, Bell, Boyce, Brunner Case, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Cole, Coler, Cooley, Conklin, Conkright, Duncan, Eshelman, Faxon, Ford, Gordon, Green, Grosvenor, Haag, Harrison, Haven, Heitmann, Herron, Hoagland, Hodge, Holloway, Holt, Howland, Huston, Inman, Johnson, Lewis, Light, Mack, Mann, Martin, McCloud, McKinley, McLain, Mesloh, Miller, Moorehead, Munson, Murlin, Myers of Ashland, Myers of Fayette, Nelson, Newton, Oren, Parker, Pattison, Pearson, Ramsay, Ray, Richards, Richmond, Robb, Sater, Scott, Sheppard, Sherrick, Stone, Thompson of Lucas, Thompson of Montgomery, Van Meter, Vincent, Walker, Watson, West, White, Williams and Speaker—80.

So the bill passed. The title was agreed to.

H. B. No. 143, to authorize the commissioners of Van Wert county to build a court-house, was read the third time.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 78, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Baker of Coshocton, Baker of Perry, Barnett, Baskin, Bay, Beatty, Boyce, Brunner, Case, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Cole, Coler, Cooley, Conklin, Conkright, Duncan, Eshelman, Faxon, Ford, Green, Grosvenor, Haag, Harrison, Hatfield, Haven, Heitmann, Herron, Hoagland, Hodge, Holloway, Holt, Howland, Huston, Inman, Johnson, Lewis, Light, Mack, Mann, Martin, McCloud, McKinley, McLain, Mesloh, Miller, Moorehead, Munson, Murlin, Myers of

Ashland, Myers of Fayette, Nelson, Newton, Norton, Parker, Pattison, Pearson, Poe, Ramsay, Ray, Richmond, Robb, Sater, Scott, Sheppard, Sherrick, Stone, Thompson of Lucas, Thompson of Montgomery, Van Meter, Vincent, Walker, Watson, West, White and Williams—78.

So the bill passed. The title was agreed to.

Mr. Parker submitted the following report:

The joint committee on Enrollment have examined, and found correctly enrolled, the following bill:

H. B. No. 54: For the relief of Bedford township, Meigs county, Ohio.

E. B. PARKER, H. M. CHAPMAN,
L. A. BRUNNER, J. C. FISHER,
J. M. PATTISON, A. M. BURNS,
O. B. CHAPMAN, S. KNOX.

The Speaker then, in the presence of the House, signed said bill.

On motion of Mr. Pattison, H. B. No. 25, to repeal section 5 of an act entitled an act in addition to the several acts in relation to the courts of justice and their powers and duties, passed April 10, and took effect May 1, 1856, was recommitted to the committee on the Judiciary.

H. B. No. 154, to repeal a certain act therein named, was read the third time.

The question being "Shall the bill pass?" the yeas the nays were ordered, and resulted—yeas 55, nays 12, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Baker of Coshocton, Baker of Perry, Baskin, Bay, Bell, Boyce, Chapman of Cuyahoga, Cole, Coler, Cooley, Conkright, Duncan, Eshelman, Faxon, Ford, Green, Grosvenor, Haag, Hatfield, Haven, Heitmann, Herron, Hodge, Holt, Huston, Inman, Johnson, Lewis, Light, Martin, McKinley, Mesloh, Miller, Moorehead, Murlin, Myers of Ashland, Norton, Parker, Pattison, Pearson, Ray, Richards, Richmond, Robb, Sheppard, Sherrick, Stone, Thompson of Lucas, Thompson of Montgomery, Van Meter, Walker, White, Williams and Speaker—55.

Those who voted in the negative were—

Messrs. Case, Harrison, Mack, Mann, McLain, Munson, Myers of Fayette, Oren, Scott, Vincent, Watson and West—12.

So the bill passed. The title was agreed to.

Mr. Chapman of Meigs submitted the following report:

The joint committee on Enrollment have examined, and found correctly enrolled, the following bill:

H. B. No. 148: To create a joint sub-district for school purposes in the townships of Gratis and Lanier, Preble county, Ohio, and German and Jackson, Montgomery county.

O. B. CHAPMAN, H. M. CHAPMAN,
J. M. PATTISON, J. C. FISHER,
L. A. BRUNNER, A. M. BURNS,
E. B. PARKER, S. KNOX.

The Speaker, in the presence of the House, signed said bill.

S. B. No. 55, to amend the eleventh section of an act entitled an act regulating the mode of administering assignments in trust for the benefit of creditors, passed and took effect April 6, 1859, was read the third time.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 53, nays 4, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Baker of Coshocton, Beatty, Bell, Case, Carnahan,

Chapman of Meigs, Cole, Coler, Conkright, Duncan, Eshelman, Faxon, Gordon, Green, Grosvenor, Haag, Haven, Heitmann, Herron, Hoagland, Hodge, Holloway, Holt, Howland, Huston, Inman, Johnson, Lewis, Light, Mack, McCloud, McKinley, McLain, Miller, Moorehead, Munson, Murlin, Myers of Fayette, Pattison, Pearson, Ray, Richards, Robb, Sater, Scott, Sheppard, Sherrick, Stone, Thompson of Lucas, Thompson of Montgomery, Van Meter and Vincent—53.

Messrs. Barnett, Mann, Parker and Richmond voted in the negative.

So the bill passed. The title was agreed to.

H. B. No. 220, to authorize the trustees of the township of New London, Huron county, to transfer moneys raised by a tax to build a railroad to the school fund for said township, was read the third time.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 68, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Baker of Coshocton, Baker of Perry, Barnett, Baskin, Bay, Beatty, Bell, Case, Carnahan, Chapman of Meigs, Cole, Coler, Conklin, Conkright, Duncan, Eshelman, Faxon, Ford, Gordon, Green, Grosvenor, Haag, Harrison, Hatfield, Haven, Heitmann, Herron, Hoagland, Holt, Howland, Huston, Inman, Johnson, Lewis, Light, Mack, Mann, Martin, McCloud, McKinley, McLain, Miller, Moorehead, Munson, Murlin, Myers of Ashland, Myers of Fayette, Nelson, Parker, Pattison, Pearson, Poe, Ramsay, Ray, Richards, Richmond, Robb, Sater, Scott, Sheppard, Stone, Thompson of Lucas, Thompson of Montgomery, Van Meter, Vincent, West and Williams—68.

So the bill passed. The title was agreed to.

H. B. No. 57, for the further protection of certain birds and game, and to repeal a certain act therein named, was read the third time.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 56, nays 12, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Baker of Coshocton, Barnett, Baskin, Bay, Beach, Beatty, Brunner, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Cole, Coler, Cooley, Conklin, Conkright, Duncan, Eshelman, Faxon, Ford, Green, Grosvenor, Haag, Harrison, Hatfield, Haven, Herron, Holloway Huston, Inman, Johnson, Lewis, Mack, Mann, Martin, McKinley, McLain, Mesloh, Munson, Myers of Fayette, Newton, Oren, Parker, Pattison, Ramsay, Ray, Richards, Richmond, Scott, Sherrick, Thompson of Lucas, Thompson of Montgomery, Van Meter, Vincent, West and Williams—56.

Those who voted in the negative were—

Messrs. Bell, Case, Hoagland, Holt, McCloud, Moorehead, Murlin, Nelson, Robb, Sater, Stone and White—12.

So the bill passed. The title was agreed to.

On motion of Mr. Miller, the third reading of H. B. No. 7, to create a board of construction in certain cities, was postponed until to morrow.

H. B. No. 133, to authorize the trustees of Lagrange township, Lorain county, to levy a tax for certain purposes therein named, was read the third time.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 61, nays 7, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Baker of Coshocton, Baker of Perry, Barnett, Beach, Beatty, Bell, Brunner, Carnahan, Chapman of Cuyahoga, Chapman of

Meigs, Cole, Coler, Cooley, Conkright, Duncan, Eshelman, Faxon, Ford, Gordon, Green, Grosvenor, Haag, Hardy, Harrison, Hatfield, Haven, Heitmann, Herron, Hodge, Holt, Inman, Johnson, Light, Mack, Martin, McKinley, McLain, Mesloh, Moorehead, Munson, Myers of Ashland, Myers of Fayette, Nelson, Norton, Parker, Pattison, Pearson, Ramsay, Ray, Richards, Richmond, Robb, Scott, Stone, Thompson of Lucas, Thompson of Montgomery, Van Meter, Vincent, Watson, West and Williams—61.

Those who voted in the negative were—

Messrs. Baskin, Case, Conklin, Hoagland, Oren, Sater and Sherrick—7.

So the bill passed. The title was agreed to.

On motion of Mr. Haag, the third reading of H. B. No. 76, to provide for the punishment of the careless use of fire-arms, was postponed until to-morrow.

H. B. No. 142, supplementary to an act entitled an act supplementary to an act making certain instruments of writing negotiable, passed February 25, 1820, passed March 30, 1857, was read the third time.

Mr. Grosvenor moved to recommit said bill to the committee on Judiciary, with instructions to amend by inserting in section 1, line four, after the word "shall," the word "not."

Which was agreed to.

H. B. No. 204, to amend section 16 of an act entitled an act to organize and regulate an independent militia, passed April 18, 1870, was read the third time.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 41, nays 23, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Baker of Coshocton, Beach, Beatty, Boyce, Brunner, Case, Carnahan, Chapman of Cuyahoga, Cole, Cooley, Conkright, Duncan, Faxon, Ford, Green, Grosvenor, Haven, Heitmann, Holt, Howland, Huston, Johnson, Mack, Mann, Martin, McCloud, Moorehead, Munson, Myers of Fayette, Nelson, Newton, Norton, Pattison, Pearson, Ray, Richards, Richmond, Sater, Thompson of Lucas, and Williams—41.

Those who voted in the negative were—

Messrs. Baker of Perry, Barnett, Baskin, Chapman of Meigs, Coler, Conklin, Eshelman, Harrison, Hatfield, Herron, Hoagland, Hodge, Mesloh, Parker, Robb, Scott, Sheppard, Stone, Thompson of Montgomery, Van Meter, Vincent, West and White—23.

So the bill, having failed to receive a constitutional majority, was lost.

S. B. No. 26, to authorize the trustees of Jefferson township, Muskingum county, to appropriate certain moneys belonging to said township on Main street, in the village of Dresden, was read the third time.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 68, nays 2, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Baker of Coshocton, Baker of Perry, Barnett, Bay, Beach, Beatty, Bell, Boyce, Brunner, Case, Chapman of Meigs, Cole, Coler, Cooley, Conklin, Conkright, Eshelman, Faxon, Ford, Green, Grosvenor, Haag, Harrison, Hatfield, Haven, Heitmann, Herron, Hill, Hoagland, Hodge, Holloway, Holt, Howland, Huston, Inman, Johnson, McCloud, McKinley, McLain, Mesloh, Moorehead, Munson, Murlin, Neff, Nelson, Newton, Oren, Parker, Pattison, Pearson, Ramsay, Ray, Richards, Richmond, Robb, Sater, Scott, Sheppard, Sherrick, Stone, Thompson of Lucas, Thompson of Montgomery, Van Meter, Vincent, West and Williams—68.

Messrs. Mack and Myers of Fayettee voted in the negative.

So the bill passed. The title was agreed to.

H. B. No. 9, to amend the seventh section of an act entitled an act to amend an act entitled an act prescribing the rate of taxation for county, bridge, road and township purposes, passed May 1, 1871, passed April 26, 1872, was read the third time.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 46, nays 21, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Baker of Coshocton, Baker of Perry, Beach, Bell, Boyce, Brunner, Carnahan, Chapman of Cuyahoga, Cole, Coler, Conklin, Duncan, Eshelman, Faxon, Gordon, Green, Grosvenor, Hatfield, Haven, Hill, Hodge, Holt, Howland, Huston, Inman, Johnson, Martin, McCloud, McKinley, Miller, Moorehead, Murlin, Oren, Pattison, Pearson, Ramsay, Richards, Robb, Sater, Stone, Thompson of Lucas, Thompson of Montgomery, White and Williams—46.

Those who voted in the negative were—

Messrs. Barnett, Baskin, Bay, Beatty, Chapman of Meigs, Conkright, Haag, Harrison, Herron, Hoagland, Mack, Mann, McLain, Mesloh, Myers of Fayette, Ray, Richmond, Scott, Van Meter, Vincent and West—21.

So the bill, not having received a constitutional majority, was lost.

H. B. No. 222, to amend an act entitled an act limiting the compensation of certain officers therein named, passed April 6, 1870, and repealing section 1 of said act, and to amend section 5 of said act, as amended by an act entitled an act to amend an act limiting the compensation of certain officers therein named, passed February 14, 1873, and repealing said section 5, was read the third time.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 72, nays 1, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Baker of Coshocton, Baker of Perry, Bay, Beach, Beatty, Bell, Boyce, Brunner, Case, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Cole, Coler, Cooley, Conklin, Conkright, Duncan, Eshelman, Faxon, Ford, Gordon, Green, Grosvenor, Haag, Harrison, Hatfield, Haven, Heitmann, Herron, Hill, Hoagland, Hodge, Holt, Huston, Inman, Johnson, Loomis, Mack, Mann, Martin, McKinley, McLain, Mesloh, Miller, Moorehead, Munson, Myers of Fayette, Nelson, Oren, Parker, Pattison, Pearson, Poe, Ramsay, Ray, Richmond, Robb, Sater, Scott, Sheppard, Stone, Thompson of Lucas, Thompson of Montgomery, Van Meter, Vincent, Watson, West, White and Williams—72.

Mr. Baskin voted in the negative.

So the bill passed. The title was agreed to.

The following bill was introduced and read the first time:

H. B. No. 258—By Mr. White: To amend section 26 of an act entitled an act relating to ditches, passed April 12, 1871.

Mr. Haag moved to reconsider the vote by which H. B. No. 9 was lost.

Which was agreed to.

On motion of Mr. Haag, said bill was then referred to a select committee of one—Mr. Haag—with instructions to amend as follows: In section 1, line nine, strike out the word "four," and insert the word "five."

The following bills were then introduced and read the first time:

H. B. No. 259—By Mr. Holloway: To create two election precincts in the township of Salem, Columbiana county.

H. B. No. 260—By Mr. Inman: To amend section 15 of an act entitled an act relating to juries, passed April 26, 1873.

H. B. No. 261—By Mr. Green: To create a joint sub-district for school purposes in the townships of Miami, Logan county; Adams township, Champaign county; and Perry township, Shelby county.

H. B. No. 262—By Mr. Miller: To amend section 335 of an act entitled an act to provide for the organization and government of municipal corporations, passed April 9, 1869, as amended April 18, 1870.

H. B. No. 263—By Mr. Loomis: Supplementary to an act entitled an act for the relief of the poor, etc., passed April 26, 1872.

H. B. No. 264—By Mr. Grosvenor: To provide for the republication of certain volumes of the Ohio State Reports.

H. B. No. 265—By Mr. Walker: To fix the prices for legal advertising.

H. B. No. 266—By Mr. Faxon: To repeal an act therein named.

Mr. Beach moved that the House take a recess until half-past seven o'clock this evening.

Mr. White moved that the House do now adjourn.

Which was disagreed to.

The question then being on Mr. Beach's motion to take a recess, it was agreed to; and the House took a recess until half-past seven o'clock.

HALF-PAST SEVEN O'CLOCK P.M.

Mr. Chapman of Cuyahoga demanded a call of the House. Seventy members answered to their names.

The absentees were Messrs. Armstrong of Guernsey, Baker of Coshocton, Baker of Fairfield, Barrett, Bell, Blake, Brooke, Eidson, Faxon, Geghan, Hardy, Haven, Holloway, Light, Marx, McCoy, Martin, McCloud, Mesloh, Miller, Morris, Murlin, Nelson, Newell, Newton, Parker, Pattison, Pearson, Ramsay, Sater, Tryon, Walker, Weible and White.

The Sergeant-at-Arms was dispatched for absentees.

On motion of Mr. Haag, all further proceedings under the call were dispensed with.

The following bill was introduced, and read the first time:

H. B. No. 267—By Mr. Gordon: To authorize the trustees of Spencer township, Hamilton county, to sell the township hall.

Mr. Case submitted the following report:

The committee on Common Schools and School Lands, to whom was referred H. B. No. 240, to authorize the board of education of the Jeromeville school-district, in the county of Ashland, embracing the incorporated village of Jeromeville and adjacent territory, to borrow money and to levy a tax for the purpose of building a school-house, having had the same under consideration, report it back, and recommend that it be indefinitely postponed.

O. CASE, E. MARTIN,
J. A. MOOREHEAD, G. W. LIGHT,
A. W. MUNSON, JOHNSON SHERRICK.

Said report was agreed to, and the bill indefinitely postponed.

Mr. Haag submitted the following report:

The committee on Judiciary, to whom was referred H. B. No. 189, to amend section 378 of the act entitled an act to establish a code of civil procedure, passed March 11, 1853, having had the same under consideration, report it back, and recommend its indefinite postponement.

J. M. HAAG, J. H. HEITMANN,
J. SCOTT, T. M. ROBB,
WM. W. BEATTY, W. P. HOWLAND,
J. M. PATTISON, C. C. ARCHER.

Said report was agreed to, and the bill indefinitely postponed.

Mr. Haag submitted the following report:

The committee on Judiciary, to whom was referred H. B. No. 247, for the protection of livery-stable keepers and others, having had the same under consideration, report it back, and recommend its indefinite postponement.

J. M. Haag,	J. H. Heitmann,
J. Scott,	T. M. Robb,
Wm. W. Beatty,	W. P. Howland,
J. M. Pattison,	C. C. Archer.

On motion of Mr. Richards, said bill was recommitted to a select committee of one—Mr. Richards.

Mr. Watson submitted the following report:

The committee on New Counties and County Affairs, to whom was referred H. B. No. 137, to amend section 12 of an act to establish the independent treasury of the State of Ohio, having had the same under consideration, report it back, with the following amendment, and recommend its engrossment and passage:

In section 1, line 33, strike out the word "two," and insert the word "three."

James Watson,	Hiram Murlin,
J. B. Ray,	Shelden Newton,
R. Ramsay,	E. M. Walker.
S. A. West,	

The amendments were agreed to, and said bill was ordered to be engrossed, and read the third time to-morrow.

Mr. Scott submitted the following report:

The committee on Judiciary, to whom was referred S. B. No. 12, to amend and extend the provisions of an act passed March 10, 1873, entitled an act supplemental to an act entitled an act to provide for the creation and regulation of incorporated companies in the State of Ohio, passed May 1, 1852, having had the same under consideration, report it back, and recommend its passage.

J. Scott,	T. M. Robb,
Wm. W. Beatty,	C. C. Archer,
J. H. Heitmann,	J. M. Pattison.

Said bill was ordered to be read the third time to-morrow.

Mr. Baskin submitted the following report:

The committee on Agriculture, to whom was referred H. B. No. 99, to amend section 6 of an act regulating inclosures and provide against trespassing animals, passed January 17, 1840, took effect August 1, 1840, having had the same under consideration, report it back, with the recommendation that it be indefinitely postponed.

Thos. H. Baskin,	Robert Barnett,
T. E. Sater,	H. H. Mack.

Said report was agreed to, and the bill indefinitely postponed.

Mr. Baskin submitted the following report:

The committee on Agriculture, to whom was referred H. B. No. 101, to authorize the commissioners of Allen county to levy a tax to purchase and improve fair grounds for the agricultural society of said county, having had the same under consideration, report it back, with the following amendments, and recommend that, being so amended, it be passed:

In line three, section 1, strike out the words "years 1874, 1875 and 1876," and insert "three years succeeding the taking of the vote as hereinafter provided."

In section 4, after the word "grounds," insert "purchased," and strike out the words "purchased and."

After the word "Allen," in the fifth line of section 4, insert: "Provided, that before said commissioners shall make said levy, they shall submit to the electors of said county, at some regular or special election, the question as to the expediency of making said purchase and improvements, and of which said election notice shall be given by publication in some newspaper of general circulation in said county for at least thirty days."

"Section 5. At said election the electors shall have written or printed upon their ballots the words "For Fair Grounds—Yes," or "For Fair Grounds—No;" and if a majority of all the electors of said county voting at said election upon this question shall vote "For Fair Grounds—Yes," then said commissioners shall cause said levy to be made."

THOS. H. BASKIN, ROBERT BARNETT,
T. E. SATER, H. H. MACK.

The amendments were agreed to, and said bill was ordered to be engrossed, and read the third time Thursday next.

Mr. Case submitted the following report:

The committee on Public Works, to whom was referred H. B. No. 162, to enable the common council of any city or incorporated village in this State having a population of twenty five hundred inhabitants or more, through which any of the canals of this State may run, or for the board of county commissioners of the county in which such city or incorporated village may be situate, to construct and maintain for public use a swing-bridge or self-closing bridge on any highway where the same crosses such canal within the territory of said city or incorporated village, having had the same under consideration, report it back, with the following amendments, and recommend its engrossment and passage:

Section 1, line four, after the word "last," insert the word "preceding." In line five strike out the word "common;" strike out all after the word "works," in line fourteen, and insert "and the lessees of the public works."

Insert: "Section 2. This act shall take effect and be in force from and after its passage."

O. CASE, J. H. HEITMANN,
WM. BELL, JR., GEO. JOHNSON,
J. E. PEARSON, C. A. COLER.
JAS. L. HAVEN,

The amendments were agreed to, and said bill was ordered to be engrossed, and read the third time Thursday next.

Mr. Grosvenor submitted the following report:

The committee on Judiciary, to whom was referred H. B. No. 171, to amend section 78 of an act entitled an act to amend an act entitled an act for the assessment and taxation of property in this State, and for levying taxes thereon according to its true value in money, passed April 5,1859, amended April 8, 1865, having had the same under consideration, report it back, with the following amendment, and recommend its engrossment and passage: In line 10, after the word "made," insert "by the purchaser or his assigns of such purchase money, with the tax and penalty."

C. H. GROSVENOR, W. P. HOWLAND,
WM. W. BEATTY, J. M. HAAG,
J. M. PATTISON, T. M. ROBB.

The amendment was agreed to, and said bill was ordered to be engrossed, and read the third time on Thursday next.

Mr. Grosvenor submitted the following report:

The committee on Judiciary, to whom was referred H. B. No. 142, supplementary to an act entitled an act supplementary to an act making certain instruments of writing negotiable, passed February 25, 1820, passed March 30, 1857, having had the same under consideration, report it back, with the following amendments, and recommend its passage when so amended:

In line 4, section 1, after the word "shall," insert the word "not."

C. H. GROSVENOR, C. C. ARCHER,
J. M. HAAG, T. M. ROBB,
J. SCOTT, W. P. HOWLAND.
WM. W. BEATTY,

The amendment was agreed to; and the bill ordered to be engrossed, and read the third time Thursday next.

Mr. Robb submitted the following report:

The committee on Judiciary, to whom was referred H. B. No. 129, supplementary to an act entitled an act to provide for the creation and regulation of incorporated companies in the State of Ohio, passed May 1, 1852, having had the same under consideration, report it back, with the following amendment, and recommend that, being so amended, it be passed:

Strike out the 9th, 10th, 11th, 12th, 13th, 14th and 15th lines of section 4, and insert: "Second. The balance shall be paid over to the board of stewards, or any other officer that may be designated by any conference, synod, assembly or association within the bounds of which said conference, synod, presbytery, assembly or association, the principal office of which shall be located, at the time of the organization thereof as aforesaid, to be distributed by said board of stewards or other officers annually to such persons as may be designated by said conference, synod, presbytery, assembly or association."

THOMAS M. ROBB, J. M. HAAG,
WM. W. BEATTY, C. H. GROSVENOR,
J. SCOTT, J. M. PATTISON.

The amendment was agreed to; and the bill ordered to be engrossed, and read the third time Tuesday next.

Mr. Robb submitted the following report:

The committee on Judiciary, to whom was referred H. B. No. 190, to secure the protection and encourage the planting and culture of forest, and the planting of shade trees along the public highways of the State of Ohio, having had the same under consideration, report it back, with the recommendation that it be indefinitely postponed.

T. M. ROBB, C. C. ARCHER,
J. M. HAAG, W. P. HOWLAND,
J. H. HEITMANN, J. M. PATTISON.

On motion of Mr. Richmond, said bill was recommitted to a select committee of one—Mr. Richmond.

Mr. Robb submitted the following report:

The committee on Judiciary, to whom was referred S. B. No. 30, for the prosecution and punishment of certain offenses therein named, having had the same under consideration, report it back without recommendation.

T. M. ROBB, J. M. PATTISON,
J. M. HAAG, W. P. HOWLAND,
C. C. ARCHER, WM. W. BEATTY.
J. H. HEITMANN,

Said bill was ordered to be read the third time on Friday next.

Mr. Heitmann submitted the following report:

The committee on Judiciary, to whom was referred H. B. No. 180, to amend section 5 of an act entitled an act to regulate the election of State and county officers, passed May 3, 1852, having had the same under consideration, report it back, and recommend that it be engrossed and passed.

J. H. HEITMANN, WM W. BEATTY,
J. M. PATTISON, C. H. GROSVENOR,
C. C. ARCHER, J. M. HAAG.
T. M. ROBB,

Said bill was ordered to be engrossed, and read the third time Thursday next.

Mr. Miller submitted the following report:

The committee on Municipal Corporations, to whom was referred S. B. No. 8, to amend section 543 of the act to provide for the organization and government of municipal corporations, passed May 7, 1869, and as amended May 2, 1871, having had the same under consideration, report it back, with the recommendation that it be amended as follows, and, as amended, engrossed and passed:

In line 10, section 1, strike out the words "which were cities."

In lines 11 and 12, section 1, strike out the words "having a population of one hundred and fifty thousand or more at the last Federal census."

In line 14, section 1, strike out the words "such cities," and insert the words "a city having a population of one hundred and fifty thousand or more at the last Federal census."

E. W. MILLER, HIRAM MURLIN,
G. H. EIDSON, O. J. HODGE.

The amendments were agreed to; and the bill ordered to be engrossed, and read the third time Thursday next.

Mr. Miller submitted the following report:

The committee on Municipal Corporations, to whom was referred H. B. No. 103, to amend section 338 of an act entitled an act to provide for the organization and government of municipal corporations, passed May 7, 1869, having had the same under consideration, report it back, and recommend that it be engrossed and passed.

E. W. MILLER, HIRAM MURLIN,
G. H. EIDSON, O. J. HODGE.

Said bill was ordered to be engrossed, and read the third time Tuesday next.

Mr. Miller submitted the following report:

The committee on Municipal Corporations, to whom was referred H. B. No. 206, to amend section 693 of the municipal code, having had the same under consideration, report it back, with the recommendation that it be indefinitely postponed.

E. W. MILLER, HIRAM MURLIN,
G. H. EIDSON, O. J. HODGE.

Said report was agreed to, and the bill indefinitely postponed.

Mr. Heitmann submitted the following report:

The committee on Judiciary, to whom was referred H. B. No. 107, to amend section 72 of an act for the reorganization and maintenance of common schools, passed May 1, 1873, having had the same under con-

sideration, report it back, and recommend its reference to the committee on Common Schools and School Lands.

J. H. HEITMANN, WM. W. BEATTY,
J. M. HAAG, W. P. HOWLAND,
T. M. ROBB, J. M. PATTISON.
J. SCOTT,

On motion of Mr. Heitmann, said bill was referred to the committee on Common Schools and School Lands.

Mr. Pattison submitted the following report:

The committee on Judiciary, to whom was referred H. B. No. 125, to amend an act of the jurisdiction and procedure before justices of the peace, and of the duties of constables in civil cases, passed March 14, 1853, having had the same under consideration, report it back, and recommend its indefinite postponement.

J. M. PATTISON, J. SCOTT,
W. P. HOWLAND, J. H. HEITMANN,
T. M. ROBB, C. C. ARCHER,
J. M. HAAG, C. H. GROSVENOR.

On motion of Mr. Mann, said bill was committed to a select committee of one—Mr. Mann.

Mr. Heitmann submitted the following report:

The committee on Judiciary, to whom was referred H. B. No. 160, to provide for judgments by default before justices of the peace and other officers, having had the same under consideration, report it back, and recommend its indefinite postponement.

J. H. HEITMANN, T. M. ROBB,
C. C. ARCHER, WM. W. BEATTY.
J. M. HAAG,

Said report was agreed to, and the bill indefinitely postponed.

Mr. Beatty submitted the following report:

The committee on Judiciary, to whom was referred H. B. No. 210, to amend section 1 of an act entitled an act to exempt specific articles of personal property from execution, passed April 16, 1873, having had the same under consideration, report it back, and recommend its indefinite postponement.

WM. W. BEATTY, J. SCOTT,
J. M. HAAG, W. P. HOWLAND,
T. M. ROBB, J. M. PATTISON,
C. C. ARCHER, C. H. GROSVENOR.
J. H. HEITMANN,

On motion of Mr. Richards, said bill was referred to a select committee of one—Mr. Richards.

Mr. Haag submitted the following report:

The select committee of one to whom was referred H. B. No. 9, to amend the seventh section of an act entitled an act to amend an act entitled an act prescribing the rate of taxation for county, bridge, road and township purposes, passed May 1, 1871, passed April 26, 1872, having had the same under consideration, report it back, with the recommendation that it be amended by striking out the word "four," in line nine of section 1, and inserting the word "five," as instructed. J. M. HAAG.

Said bill was ordered to be re-engrossed, and read the third time to-morrow.

Mr. Watson submitted the following report:

The select committee of seven to whom was referred H. B. No. 55, fixing

the salaries of the several county officers therein named, with pending substitute, having had the same under consideration, report it back, with the recommendation that the substitute be amended as follows:

In section 1, line two, strike out the word "several." After the word "of," same line, same section, insert "the several counties herein named."

In section 1, line seven, strike out the word "seventeen," and insert in lieu thereof the word "eighteen."

In section 1, line thirteen, strike out the words "two thousand five hundred," and insert the words "three thousand."

In section 1, line sixteen, strike out the word "three," and insert the word "four."

In section 1, line eighteen, strike out the word "four," and insert the word "five."

At the end of section 1 add the following as section 2:

"In all the counties of the State named in this act, where the total value of all the taxable property in any year does not exceed five millions of dollars, the county treasurer of any such county shall hereafter receive an annual compensation of one thousand dollars; and in every county herein named where the total value of all the taxable property exceeds five millions of dollars in any year, the county treasurer of any such county shall receive, in addition to one thousand dollars, one hundred dollars for each additional million dollars or fractional part thereof."

Strike out the word "treasurers," in section 2, line 1.

After the word "State," in section 2, line 2, insert the following: "herein named."

In section 2, line 7, strike out the word "fourteen," and insert the word "fifteen."

Strike out the words "three thousand dollars," at the end of line 15, section 2, and insert the following: "The clerks of the court shall hereafter receive an annual compensation of three thousand dollars; the sheriffs, three thousand five hundred dollars; the probate judges, three thousand dollars."

At the end of line 17, section 2, insert the following: "The clerks of the court shall hereafter receive an annual compensation of four thousand dollars; the sheriffs, four thousand five hundred dollars; the probate judges, three thousand five hundred dollars."

Strike out the word "not," in line 10, section 3.

After the word "dollars," in line 18, section 3, insert as follows: "The county commissioners are also authorized, at their discretion, to allow the county auditors of their respective counties herein named a reasonable compensation, in addition to the salary herein provided by section 1 of this act, for services any such auditor may actually render, under the provisions of the improved road laws, free turnpike laws, and the laws relating to ditches, drains and water-courses: Provided, that the compensation so allowed shall not exceed in any one year fifty per cent. of what any such auditor now is allowed by law for such services"

After the word "act," in line 31, section 3, insert the word "knowingly."

In line 12, section 3, strike out the word "ten," and insert the word "twenty."

And as thus amended, they recommend the engrossment and passage of the bill.

JAMES WATSON,
J. N. OREN,
G. W. LIGHT,
W. P. HOWLAND,
S. A. WEST,
THOS. H. BASKIN,
J. SCOTT.

Mr. Brunner moved to lay the bill on the table, and that the amendment to the amendment be printed.

Which was agreed to.

Mr. Ray submitted the following report:

A minority of the committee on New Counties and County Affairs, to whom was referred H. B. No. 92, to provide for the removal of the seat of justice of Wood county from the incorporated village of Bowling Green to that of Perrysburg, in said county, and to authorize the mayor and town council of the incorporated village of Perrysburg and the trustees of the township of Perrysburg, in said county, to donate and convey certain property in case of such removal, having had the same under consideration, make the following report:

First. Bowling Green, the present county seat of said county, is at the geographical center of the county.

Second. The business of said county is almost exclusively agricultural, and in the opinion of the undersigned, the center of the county is the proper place for its county seat, and the point where the great mass of its population are best accommodated.

Third. In October, 1866, the question of the removal of the county seat of said county from Perrysburg (where it had been for nearly fifty years) to Bowling Green was submitted to a vote of the electors of said county, and said county seat was by such vote removed from Perrysburg to Bowling Green.

Fourth. The people of Bowling Green paid nearly the entire cost of the construction of the new court-house at that place, which is a large and convenient brick court-house, well suited for the transaction of the business of the county, as appears by the certificates of the county officers placed on file with your committee.

Fifth. In consequence of protracted litigation growing out of said election, and which was set on foot by the people of Perrysburg, the county seat was not in fact removed to Bowling Green until March, A.D. 1870.

Sixth. Since the removal of said county seat to Bowling Green, new railroads have been projected in the south and east parts of said county, one of which has been completed, and the cars are running thereon through said county, near the south line thereof, and two others are in process of construction; in consequence of which the population in the south and east parts of said county is increasing very rapidly.

Seventh. Over seventeen thousand of the citizens of said county are nearer to Bowling Green than to Perrysburg, while only about seven thousand five hundred of the citizens thereof are nearer to Perrysburg than to Bowling Green.

Eighth. If said county seat shall be removed to Perrysburg, many of the farmers of said county will be compelled to travel about thirty miles to reach their county seat.

Ninth. Although we find that the valuation of personal and real property in the village of Perrysburg is about a hundred thousand dollars more than in the village of Bowling Green, yet we find that the increase in the village of Perrysburg in the last six years has not been quite 42 per cent., while the increase in the village of Bowling Green for the same six years has been over 164 per cent.

Tenth. There are only about 3,400 petitioners for the act, and there are nearly 3,300 remonstrating against it.

For the foregoing reasons, the undersigned are of the opinion that said bill should not pass, and we recommend its indefinite postponement.

Respectfully submitted,

J. B. RAY,
JAMES WATSON.

Mr. Howland moved to lay the report on the table, and that it be printed.

Mr. Thompson of Lucas moved to amend the motion by striking out the words "and that it be printed."

Which was disagreed to.

Mr. Howland's motion was then agreed to.

Mr. Brunner submitted the following report:

The committee on Public Printing, to whom was referred H. J. R. No. 27, relative to printing the report of the Commissioner of Common Schools, having had the same under consideration, report it back, with the recommendation that it be adopted.

L. A. BRUNNER, JAS. S. GORDON,
E. B. ESHELMAN, J. B. RAY.

The question being on the adoption of the resolution, the yeas and nays were ordered, and resulted—yeas 39, nays 26, as follows:

Those who voted in the affirmative were—

Messrs. Barnett, Beach, Brunner, Chapman of Meigs, Cole, Coler, Conklin, Duncan, Eidson, Eshelman, Faxon, Gordon, Green, Grosvenor, Hatfield, Haven, Heitmann, Herron, Hill, Hodge, Howland, Johnson, Kemp, McKinley, Munson, Nelson, Newton, Norton, Pattison, Poe, Ramsay, Ray, Richmond, Robb, Sater, Sheppard, Stone, Thompson of Lucas, and Williams—39.

Those who voted in the negative were—

Messrs. Bay, Beatty, Boyce, Carnahan, Chapman of Cuyahoga, Cooley, Conkright, Ford, Gowey, Harrison, Holt, Loomis, Mack, Mann, Miller, Moorehead, Myers of Fayette, Neff, Oren, Parker, Richards, Scott, Varley, Vincent, West and White—26.

So the resolution was lost.

Mr. Grosvenor offered the following resolution, which was adopted:

WHEREAS, So much of the Hocking canal as lies between the village of Chauncey and the Hocking river, near Athens, the present terminus of said canal, was broken and damaged by the flood of July, 1873, and has not been repaired; and

WHEREAS, Complaint is made that great injury and damage is being done to the farmers along the line of said canal below said Chauncey, by reason of such breaking, and the consequent overflow by the Hocking river of the land contiguous to said canal; and

WHEREAS, It is claimed that the lessees of the said canal, in disregard of their duty, neglect said repairs, and permit the overflow aforesaid; therefore

Resolved, That the Board of Public Works be requested to furnish the following information to this House without delay:

1. The extent of the breakage and injury to said canal, and when it occurred.
2. Whether the same has been repaired.
3. What public benefit so much of said canal as is above described would be if repaired.
4. What, if any, use as a canal so much of said canal has been since 1871.

5. What it will cost to repair such canal and put it in condition for navigation by canal-boats.

6. What amount of farm land will be materially benefited by vacating said canal, and confining the water from Chauncey within the natural banks of the river; and what is necessary, in the event of vacation, to protect the owners of the land along such canal from the overflow of the river through the broken banks of such canal.

7. Report what kind of a title the State has to the bed of said canal so described.

Resolved, That for the purpose of procuring the information aforesaid, the Board of Public Works is requested to send a competent engineer to ascertain and perform the instructions contemplated in the first section of these resolutions.

Mr. Grosvenor also offered the following resolution, which was adopted:

H. R. No. 80: *Resolved*, That the Board of Public Works be called upon to furnish to this House an estimate of the probable cost of widening and deepening the Hocking and Ohio canals from the town of Nelsonville to the city of Columbus, so as to render said canals of sufficient capacity to admit of the passage of a loaded canal-boat of 260 tons burden.

Mr. Brunner offered for adoption the following resolution:

Resolved, That from and after the passage of this resolution, and until the *sine die* adjournment of this session of the Sixty-first General Assembly, that leave of absence be granted only on account of sickness of the person, or in the families of members of this House.

Mr. White gave notice of a desire to discuss said resolution; so, under the rule, it was laid on the table.

Mr. Brunner moved to suspend the rule, and that the resolution be acted on now.

Mr. Thompson of Lucas moved that the House do now adjourn.

On which motion the yeas and nays were demanded, ordered, and resulted—yeas 38, nays 21, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Belmont, Barnett, Bay, Boyce, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Cole, Cooley, Conkright, Duncan, Eidson, Faxon, Gowey, Gordon, Grosvenor, Hatfield, Hill, Holt, Howland, Johnson, Loomis, Mack, Mann, Munson, Nelson, Newton, Oren, Pattison, Ramsay, Ray, Richards, Richmond, Sater, Varley, Vincent, White and Williams—38.

Those who voted in the negative were—

Messrs. Beach, Beatty, Brunner, Conklin, Eshelman, Heitmann, Herron, Hoagland, Hodge, Kemp, Miller, Moorehead, Myers of Fayette, Norton, Parker, Poe, Scott, Sheppard, Stone, Thompson of Lucas, and West—21.

So the motion was agreed to, and the House adjourned.

Attest: THOMAS COUGHLIN, *Clerk.*

WEDNESDAY, MARCH 4, 1874—10 o'clock A.M.

The House met pursuant to adjournment.

Prayer by the Rev. Robert J. Laidlaw.

The Journal was read and approved.

Mr. Hill presented the petition of W. S. Eversole and 1,400 other citizens of Marion county, against any alteration in the present liquor laws.

Which was referred to the committee on Temperance.

Mr. Gordon presented the remonstrance of Theodore Stanwood and eighty-two other citizens of Hamilton county and permanent business men of Cincinnati, against the passage of H. B. No 196.

Which was referred to the committee on Railroads and Telegraphs.

Mr. Heitmann presented the remonstrance of J. H. Gardner, B. De Vries and 67 other citizens of Franklin county, against the passage of H. B. No. 196, for the protection of persons purchasing transportation tickets for passage on railway and steam navigation lines.

Which was referred to the committee on Railroads and Telegraphs.

Mr. Brooke presented the remonstrance of F. D. Carr and 20 other citizens of Stark county, and 12 ladies of the same county, against any modification of the Adair law.

Which was referred to the committee on Temperance.

Mr. Chapman of Meigs presented the petition of J. B. Eaton and 81 other citizens of Pomeroy, Meigs county, praying for the passage of a law making it a misdemeanor, punishable by fine and imprisonment, for any bailee for hire of property to kill, injure or destroy the same by willful abuse, cruel or immoderate use, or gross negligence.

Which was referred to the committee on Judiciary.

Mr. Bell presented the remonstrance of Benjamin Blanday and 215 other citizens of Licking county, against the passage of H. B. No. 196.

Which was referred to the committee on Railroads and Telegraphs.

Mr. Gordon presented the petition of John Leclerc and 43 other citizens of Hamilton county, asking the passage of H. B. No. 168, authorizing the commissioners of Hamilton county to erect a new bridge, with suitable approaches, on the site of the present Union bridge, over the Little Miami river.

Which was referred to the committee on New Counties and County Affairs.

Mr. Gordon presented the petition of J. P. Langdon and 59 other citizens of Hamilton county, for the passage of an act authorizing the township trustees of Spencer township to sell their present town hall, and invest the proceeds in another hall or halls in said township.

Which was referred to the committee on New Counties and County Affairs.

Mr. Myers of Ashland presented the remonstrance of W. C. Frazee and one hundred other citizens of Ashland county, against the passage of H. B. No. 35, making shooting a penal offense, punishable by fine and imprisonment.

Which was referred to the committee on Agriculture.

Mr. Nelson presented the petition of L. E. Brewster and 143 other citizens of Williams county, against the enacting of any law which shall repeal, or in any way, directly or indirectly, impair the efficiency of the law under which the Cincinnati Southern Railroad is organized and being constructed.

Which was referred to the committee on Railroads and Telegraphs.

Mr. Sherrick submitted the following report:

The committee on Revision have examined, and found correctly engrossed, House Bills Nos. 9, 145, 53, 181, 239, 193, 109, 241 and 137.

JOHNSON SHERRICK, GEO. W. BOYCE,
WM. M. MCKINLEY, E. B. PARKER,
ORVIL BLAKE, C. H. GROSVENOR.

On motion of Mr. Armstrong of Guernsey, H. B. No. 102 was informally passed.

H. B. No. 7, to create a board of construction in certain cities, was read the third time.

Mr. Archer moved to refer the bill to a select committee of one, with instructions to amend as follows:

In line 5, section 1, after the word "election," insert the following: "And within one week after the passage of this act the board of revision of such city shall divide said city into five construction districts, which shall be designated and known as construction districts Nos. 1, 2, 3, 4 and 5; each of said districts shall be composed of contiguous wards, and be compact in form, and they shall be as nearly uniform in population and shape as possible. The disparity in voting population in districts thus formed shall not exceed five hundred, on the basis of the last election for Governor in said city."

Also, to amend section 1, line 13, by inserting after the word "qualified" the following:

"At every subsequent regular annual municipal election one member of said board shall be elected for the term of five years by the qualified electors of that construction district in which a regular vacancy occurs."

Also, in the same section, line 15, by inserting after the words "electors of the" the following: "construction district in which such vacancies occur;" and strike out the word "city," in same section, line 15.

Which was agreed to, and Mr. Archer appointed said committee.

On motion of Mr. Scott, the House resolved itself into committee of the Whole, on the order of the day—H. B. No. 175—Mr. Conklin in the chair. After some time spent therein, the committee rose, reported progress, and asked leave to sit again.

Which was agreed to.

On motion of Mr. Sater, the House took a recess.

HALF-PAST TWO O'CLOCK, P.M.

H. B. No. 76, to provide for the punishment of the careless use of firearms, was read the third time.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 87, nays 1, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Armstrong of Guernsey, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barrett, Baskin, Beach, Beatty, Bell, Blake, Boyce, Brooke, Brunner, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Cole, Coler, Cooley, Conklin, Duncan, Eidson, Eshelman, Faxon, Ford, Geghan, Gowey, Gordon, Green, Grosvenor, Haag, Hardy, Harrison, Hatfield, Haven, Herron, Hill, Hoagland, Hodge, Holloway, Holt, Huston, Inman, Johnson, Kemp, Lewis, Loomis, Mack, Mann, Martin, McCloud, McKinley, McLain, Mesloh, Miller, Munson, Murlin, Myers of Ashland, Myers of Fayette, Neff, Nelson, Newton, Norton, Oren, Parker, Pattison, Pearson, Poe, Ramsay, Ray, Richards, Robb, Sater, Sheppard, Sherrick, Stone, Thompson of Lucas, Thompson of Montgomery, Van Meter, Vincent, Walker, Weible, West, White and Williams—87.

Mr. Marx voted in the negative.

So the bill passed. The title was agreed to.

Mr. Hodge moved to reconsider the vote by which H. B. No. 204, to amend section 16 of an act entitled an act to organize and regulate an independent militia, passed April 18, 1870, was lost.

Which was agreed to.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 68, nays 11, as follows:

Those who voted in the affirmative were—

Messrs Archer, Armstrong of Guernsey, Baker of Coshocton, Baker of Perry, Barrett, Bell, Blake, Boyce, Brunner, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Cole, Cooley, Conkright, Duncan, Eidson, Eshelman, Faxon, Geghan, Gordon, Green, Grosvenor, Haag, Hardy, Haven, Heitmann, Herron, Hodge, Holloway, Holt, Howland, Huston, Inman, Johnson, Kemp, Lewis, Loomis, Mack, Mann, Marx, Martin, McCloud, McLain, Miller, Murlin, Myers of Fayette, Neff, Nelson, Newell, Newton, Norton, Oren, Pattison, Pearson, Poe, Ramsay, Ray, Richards, Richmond, Sater, Sherrick, Thompson of Lucas, Thompson of Montgomery, Walker, Weible, White and Williams—68.

Those who voted in the negative were—

Messrs. Beach, Brooke, Coler, Conklin, Harrison, Hatfield, Hill, Hoagland, Moorehead, Robb and Vincent—11.

So the bill passed. The title was agreed to.

Mr. Boyce moved to reconsider the vote whereby H. J. R. No. 27 was lost.

Which was agreed to.

The question then being on the adoption of said resolution, the yeas and nays were ordered, and resulted—yeas 75, nays 12, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Guernsey, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Barrett, Baskin, Beach, Bell, Blake, Boyce, Brooke, Brunner, Case, Chapman of Cuyahoga, Chapman of Meigs, Cole, Coler, Cooley, Conklin, Conkright, Duncan, Eidson, Faxon, Geghan, Gordon, Green, Grosvenor, Haag, Hardy, Hatfield, Haven, Heitmann, Herron, Hill, Hodge, Howland, Huston, Inman, Johnson, Kemp, Mack, Marx, McCloud, Mesloh, Miller, Moorehead, Munson, Murlin, Myers of Ashland, Nelson, Newell, Newton, Norton, Pattison, Pearson, Poe, Ramsay, Ray, Richmond, Robb, Sater, Sheppard, Sherrick, Stone, Thompson of Lucas, Thompson of Montgomery, Van Meter, Vincent, Walker, Watson, Weible, West and Williams—75.

Those who voted in the negative were—

Messrs. Armstrong of Belmont, Beatty, Ford, Gowey, Harrison, Holloway, Holt, Martin, Myers of Fayette, Neff, Oren and Varley—12.

So the resolution was adopted.

H. B. No. 239, supplementary to an act entitled an act to authorize the board of education of the separate school district of the village of Caledonia, Claridon township, Marion county, Ohio, to issue bonds and borrow money, was read the third time.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 70, nays 6, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Guernsey, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Bay, Beach, Beatty, Bell, Blake, Boyce, Brooke, Brunner, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Cole, Coler, Cooley, Conklin, Conkright, Duncan, Eidson, Eshelman, Faxon, Gordon, Green, Haven, Herron, Hill, Hodge, Holt, Howland, Huston, Inman, Johnson, Kemp, Loomis, Mann, Martin, McCloud, McLain, Mesloh, Miller, Moorehead, Munson, Murlin, Myers of Fayette, Nelson, Newton, Parker, Pearson, Poe, Ramsay, Ray, Richards, Richmond, Robb, Sater, Sherrick, Stone, Thompson of Montgomery, Van Meter, Vincent, Walker, Watson, Weible, West and White—70.

Those who voted in the negative were—

Messrs. Case, Grosvenor, Haag, Harrison, Scott and Varley—6.

So the bill passed.

Mr. Case moved to strike out the word "separate" in the title, and insert the word "special."

Which was agreed to.

The title, as amended, was then agreed to.

On motion of Mr. Hodge, H. B. No. 90, to provide for the removal of the seat of justice of Mahoning county, Ohio, from the town of Canfield to the city of Youngstown, in said county, was taken from the table.

Mr. Richards demanded a call of the House, and 99 members answered to their names.

The absentees were Messrs. Baker of Perry, Martin, McCloud, McCoy, Morris and Tryon.

The Sergeant-at-Arms was dispatched for absentees.

On motion of Mr. Haag, further proceedings under the call were dispensed with.

The question then being "Shall the bill (H. B. No. 90) pass?" the yeas and nays were ordered, and resulted—yeas 53, nays 47, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Guernsey, Baker of Coshocton, Beach, Bell, Boyce, Chapman of Cuyahoga, Cole, Coler, Cooley, Duncan, Eidson, Ford, Geghan, Gordon, Green, Grosvenor, Haag, Hardy, Hatfield, Haven, Heitmann, Hodge, Holt, Johnson, Lewis, Light, Loomis, Mack, Mann, Marx, McKinley, McLain, Mesloh, Miller, Murlin, Myers of Fayette, Nelson, Newell, Newton, Norton, Poe, Ramsay, Richards, Richmond, Robb, Sater, Sherrick, Thompson of Lucas, Van Meter, Walker, West and Speaker—53.

Those who voted in the negative were—

Messrs. Armstrong of Belmont, Baker of Fairfield, Barnett, Barrett, Baskin, Bay, Beatty, Blake, Brooke, Brunner, Case, Carnahan, Chapman of Meigs, Conklin, Conkright, Eshelman, Faxon, Gowey, Harrison, Herron, Hill, Hoagland, Holloway, Howland, Huston, Inman, Kemp, Martin, Moorehead, Munson, Myers of Ashland, Neff, Oren, Parker, Pattison, Pearson, Ray, Scott, Sheppard, Stone, Thompson of Montgomery, Varley, Vincent, Watson, Weible, White and Williams—47.

So the bill passed. The title was agreed to.

On motion of Mr. Richmond, the House adjourned.

Attest: THOMAS COUGHLIN, *Clerk.*

THURSDAY, MARCH 5, 1874—10 o'clock A.M.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Hutchins.

The Journal was read and approved.

The Speaker laid before the House a communication from the Superintendent of the Athens Lunatic Asylum in answer to H. R. No. 78.

On motion of Mr. Scott, said communication was laid on the table and ordered to be printed.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The following bills have been introduced in the Senate, and read the first time:

S. B. No. 111—By Mr. Kerr: To amend section 1 of an act entitled an act to provide for the semi-annual collection of taxes, passed April 2, 1859. (S. & C., p. 1475.)

S. B. No. 112—By Mr. Burns: For the relief of the board of education of the city of Mansfield, Ohio.

Attest: S. K. DONAVIN, *Clerk.*

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has adopted the following joint resolution, in which the concurrence of the House of Representatives is requested:

S. J. R. No. 29—By Mr. Corwin: Directing the printing and distribution of the laws of the 61st General Assembly.

Attest: S. K. DONAVIN, *Clerk.*

The question being on the adoption of said resolution, the yeas and nays were ordered, and resulted—yeas 67, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Baker of Coshocton, Baker of Perry, Barrett, Bay, Beach, Bell, Blake, Boyce, Brooke, Case, Chapman of Cuyahoga, Cole, Coler, Cooley, Conklin, Conkright, Duncan, Eidson, Geghan, Gordon, Green, Grosvenor, Hardy, Hatfield, Herron, Hill, Holloway, Huston, Inman, Johnson, Kemp, Lewis, Light, Loomis, Mack, Mann, Martin, McCloud, McKinley, McLain, Mesloh, Munson, Murlin, Myers of Ashland, Myers of Fayette, Neff, Newell, Newton, Norton, Parker, Pearson, Ray, Richards, Sater, Sheppard, Stone, Thompson of Lucas, Thompson of Montgomery, Van Meter, Varley, Vincent, Walker, Watson, Weible and West—67.

So the resolution was adopted.

Indefinite leave of absence was granted Mr. Haven on account of sickness; and also leave of absence to Mr. Vincent from to-morrow until Tuesday next.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has concurred in the amendment of the House of Representatives to S. J. R. No. 28, appointing a committee to investigate matters relative to furnishing stationery supplies by the Secretary of State; and the President has appointed Messrs. Jones and Thompson as such committee on the part of the Senate.

Attest: S. K. DONAVIN, *Clerk.*

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has concurred in the adoption of H. J. R. No. 22, relative to the exchange of statutes.

Attest: S. K. DONAVIN, *Clerk.*

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has concurred in the passage of H. B. No. 49, to extend the provisions of an act of the General Assembly of the State of Ohio, passed on the second day of April, 1873, entitled an act to authorize the commissioners of Trumbull county to remove drift and timber from the rivers in

said county, so that the same shall be and have full force and effect in the county of Paulding, after amending the same as follows:

Strike out all after the enacting clause, and insert the following: "That the commissioners of any county are hereby authorized to cause to be removed from any river or water-course within their county any drift or timber, for the better protection of roads and bridges in such county.

"Section 2. That before the commissioners shall proceed to remove said drift or timber, there shall be filed with the county auditor of such county a petition, signed by five or more tax-payers of the county, setting forth the benefits to be derived from removing said drift and timber, the starting-point and terminus, with a description of the river or water-course to be cleared, and amount of drift and timber to be removed, together with an estimate of cost to be incurred to complete said work; and the auditor shall, at the next regular or called meeting of the commissioners, notify them of the filing of said petition.

"Section 3. That the commissioners, upon receiving said notice of said petition, shall forthwith appoint some disinterested person, resident of the county, who shall go upon the line of said river or water-course and examine the same carefully, and make his report to the county auditor in writing, stating whether he deems the clearing of said river or water-course important and beneficial for the protection of any State or county road or bridge, and if so, an estimate of the amount of money required to perform the same.

"Section 4. That the county auditor shall, at the first regular or called meeting of the commissioners after receiving the report from said person, notify said commissioners of the same, and if the said report recommends the clearing of said river or water-course, the commissioners shall be authorized to proceed to let the same at public sale to the lowest and best responsible bidder, and take a bond, payable to the State of Ohio, of the person or persons to whom said work is let, with good and sufficient security, for the performance of the same within a specified time, and on completion of the work thus let, and accepted by said commissioners, the auditor shall issue a certificate to the person or persons performing said work for the sum due: Provided, that in no case shall the work be let at a higher price than twenty per cent. above the estimate so made by said person appointed; and provided further, that no person having an official duty to perform about said work shall be interested, directly or indirectly, in any contract for the clearing of said river or water-course.

"Section 5. That all costs of letting and clearing such river or water-course, and all other necessary expenses which shall accrue under this act, shall be paid out of the county treasury out of the bridge fund, on the order of the county auditor.

"Section 6. This act shall take effect and be in force from and after its passage."

The Senate has also amended the title of said bill so as to read as follows: "To authorize commissioners, for the protection of bridges and highways, to remove timber and drift from rivers and water-courses."

Attest: S. K. DONAVIN, *Clerk.*

The question being on agreeing to the Senate amendments, the yeas and nays were ordered, and resulted—yeas 59, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Guernsey, Baker of Coshocton, Baker of Perry, Barnett, Barrett, Bay, Beach, Bell, Blake, Boyce, Brooke, Brunner, Car-

nahan, Chapman of Cuyahoga, Chapman of Meigs, Cole, Coler, Cooley, Conklin, Conkright, Duncan, Eidson, Eshelman, Ford, Geghan, Gordon, Green, Hardy, Herron, Huston, Johnson, Kemp, Lewis, Loomis, Mack, Mann, Marx, McKinley, Mesloh, Moorehead, Morris, Murlin, Myers of Fayette, Newell, Norton, Parker, Pearson, Ramsay, Sater, Sheppard, Sherrick, Stone, Thompson of Lucas, Thompson of Montgomery, Varley, Vincent, Weible and West—59.

So the amendments were agreed to.

The title, as amended by the Senate, was then agreed to.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has concurred in the passage of H. B. No. 197, to provide for supplying United States courts in Ohio with the laws of the State, after amending the same as follows:

At the end of first section add the following: "and shall furnish each year to the clerk of each of the United States courts in Ohio, for the use of said court, a copy of the report of the decisions of the Supreme Court of Ohio for that year."

In which the concurrence of the House of Representatives is requested

Attest: S. K. DONAVIN, *Clerk.*

The question being on agreeing to the Senate amendment to the bill, the yeas and nays were ordered, and resulted—yeas 76, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Armstrong of Guernsey, Baker of Coshocton, Baker of Perry, Barrett, Baskin, Bay, Beach, Beatty, Bell, Blake, Brooke, Brunner, Carnahan, Chapman of Cuyahoga, Cole, Cooley, Conklin, Conkright, Duncan, Eshelman, Geghan, Gordon, Green, Grosvenor, Haag, Harrison, Hatfield, Heitmann, Herron, Hill, Hoagland, Hodge, Holloway, Holt, Howland, Huston, Inman, Johnson, Kemp, Lewis, Light, Loomis, Mack, Mann, Martin, McCloud, McCoy, McKinley, McLain, Mesloh, Munson, Murlin, Myers of Ashland, Myers of Fayette, Neff, Pearson, Poe, Ramsay, Ray, Richards, Robb, Sater, Sheppard, Stone, Thompson of Lucas, Thompson of Montgomery, Van Meter, Varley, Vincent, Walker, Watson, Weible, West and White—76.

So the amendment was agreed to.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has passed the following bill, in which the concurrence of the House of Representatives is requested:

S. B. No. 107—By Mr. Corwin: To extend the provisions of the act entitled an act to promote and encourage law library associations, passed April 27, 1872. (Vol. 69 O. L., 165.)

Attest: S. K. DONAVIN, *Clerk.*

Said bill was read the first time.

On motion of Mr. Scott, the House resolved itself into committee of the Whole upon the orders of the day—H. B. No. 175—Mr. Conklin in the chair. After sometime spent therein, the committee rose, reported progress, and asked leave to sit again.

Which was agreed to.

On motion of Mr. Sater, the House took a recess.

HALF-PAST TWO O'CLOCK P.M

Mr. Baker of Perry moved that the House take up the third reading of bills.

Which was agreed to.

H. B. No. 102, to authorize the commissioners of Guernsey county to transfer to the townships of Beaver, Buffalo, Seneca and Wayne, in Noble county, certain railroad stocks held by said Guernsey county, and the payment to said townships of dividends received by said county on said stock, also all the taxes collected by said county on a certain amount of said railroad lying and being in said Noble county, having been previously read the third time,

Mr. Haag moved that the bill be referred to the committee on the Judiciary.

Which was disagreed to.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 48, nays 32, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Baker of Fairfield, Baker of Perry, Baskin, Beach, Beatty, Bell, Boyce, Brooke, Brunner, Case, Chapman of Cuyahoga, Cole, Cooley, Conklin, Conkright, Eshelman, Geghan, Hatfield, Heitmann, Inman, Kemp, Lewis, Light, McCloud, McCoy, McKinley, Miller, Murlin, Myers of Ashland, Nelson, Norton, Parker, Pattison, Pearson, Poe, Ray, Sater, Sheppard, Sherrick, Stone, Thompson of Montgomery, Van Meter, Vincent, Watson, Weible, West and White—48.

Those who voted in the negative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Baker of Coshocton, Barnett, Barrett, Bay, Blake, Carnahan, Chapman of Meigs, Duncan, Eidson, Faxon, Gowey, Grosvenor, Herron, Hoagland, Holloway, Howland, Loomis Mack, Mann, McLain, Mesloh, Moorehead, Myers of Fayette, Neff, Oren, Ramsay, Robb, Scott, Varley and Williams—32.

So the bill, having failed to receive a constitutional majority, was lost.

Mr. Archer moved to suspend the rule, and that the House proceed to the consideration of H. B. No. 92.

Which was disagreed to.

Mr. Neff moved a reconsideration of the vote of yesterday whereby H. B. No. 7 was recommitted to a select committee of one, with instructions.

On which motion the yeas and nays were ordered, and resulted—yeas 39, nays 48, as follows:

Those who voted in the affirmative were—

Messrs. Baker of Coshocton, Barrett, Beach, Bell, Brooke, Brunner, Cole, Faxon, Geghan, Gowey, Gordon, Green, Grosvenor, Haag, Heitmann, Holt, Johnson, Loomis, Mack, Mann, Marx, Martin, McKinley, McLain, Mesloh, Miller, Morris, Murlin, Myers of Fayette, Neff, Pearson, Robb, Scott, Thompson of Lucas, Thompson of Montgomery, Varley, West and Speaker—39.

Those who voted in the negative were—

Messrs. Archer, Armstrong of Belmont, Armstrong of Guernsey, Baker of Fairfield, Baker of Perry, Barnett, Baskin, Bay, Beatty, Boyce, Case, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Coler, Cooley, Conklin, Conkright, Eidson, Eshelman, Hardy, Harrison, Hatfield, Herron, Hill, Holloway, Kemp, Light, McCloud, McCoy, Moorehead, Munson, Oren, Parker, Pattison, Poe, Ramsay, Ray, Sater, Sheppard, Sherrick, Stone, Van Meter, Vincent, Watson, Weible, White and Williams—48.

So the motion to reconsider was disagreed to.

Mr. Boyce submitted the following report:

The committee on Revision have examined, and found correctly engrossed, House Bills Nos. 92, 142, 151, 162, 168, 186, 207 and 218, and amendments to Senate Bills Nos. 4 and 8.

GEO. W. BOYCE, ORVIL BLAKE,
JON. MORRIS, JOHNSON SHERRICK.
WM. M. MCKINLEY,

H. B. No. 145, to regulate mines and mining, was read the third time.

Mr. Richards moved to recommit said bill to a select committee of one, with instructions to amend as follows:

In section 9, line 3, after the word "than," strike out "one hundred," and insert "sixty-six."

Mr. Holt moved additional instruction, as follows:

Insert after the word "shall," in line 1 of section 15, the words "interfere, by menace or otherwise, with any laborer working in or about said mine, or who intends to labor in any mine that has complied with the provisions of this act, or."

Which was disagreed to; and the motion to recommit was then disagreed to.

Mr. Scott moved to recommit said bill to a select committee of one, with instructions to amend as follows:

Add to the end of section 4 the words: "The inspector shall, within three months after his appointment, and annually thereafter, furnish the Auditor and Treasurer of State a list of all the coal mines in operation in the State mining over five thousand tons per year, the name of the corporation or person or persons by whom they are severally owned; and the salary of the inspector and other expenses authorized in this act for the year then commenced, and annually thereafter, shall be assessed and paid into the State treasury by the several companies, person or persons owning said mines, the amounts proportionate to the appraised value of said mines, and lands and houses connected therewith, as declared in the returns required in the general statutes of the State; and in case such company, person or persons refuse or neglect to pay into the treasury the amount or portion of said salary and other expenses aforesaid, which shall be by said treasurer required of them respectively, for the space of thirty days after written notice given by said treasurer to them respectively to make such payment, then the said treasurer shall institute an action in the name of and for the use of the State against any such delinquent company, person or persons, for their said portion or amount of such salary, with interest thereon at the rate of six per centum per annum from the time said notice to make such payment was given, and the costs of the action."

On which motion the yeas and nays were demanded, ordered, and resulted—yeas 33, nays 59, as follows:

Those who voted in the affirmative were—

Messrs. Barnett, Barrett, Beatty, Blake, Carnahan, Chapman of Cuyahoga, Coler, Cooley, Conkright, Eidson, Faxon, Gowey, Herron, Holt, Howland, Loomis, Mack, Marx, Martin, Munson, Myers of Fayette, Neff, Oren, Ramsay, Ray, Richmond, Scott, Varley, Vincent, Walker, West, White and Williams—33.

Those who voted in the negative were—

Messrs. Archer, Armstrong of Belmont, Armstrong of Guernsey, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Baskin, Beach, Bell, Boyce, Brooke, Brunner, Case, Chapman of Meigs, Cole, Conklin, Eshel-

man, Geghan, Green, Grosvenor, Haag, Hardy, Harrison, Hatfield, Heitmann, Hoagland, Holloway, Huston, Inman, Johnson, Kemp, Lewis, McCloud, McCoy, McKinley, McLain, Mesloh, Moorehead, Morris, Myers of Ashland, Nelson, Newell, Newton, Norton, Parker, Pattison, Pearson, Poe, Richards, Robb, Sater, Sheppard, Sherrick, Stone, Thompson of Lucas, Thompson of Montgomery, Van Meter, Weible and Speaker—59.

So the motion was disagreed to.

The question then being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 68, nays 25, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Baskin, Beach, Bell, Blake, Boyce, Brooke, Brunner, Case, Chapman of Cuyahoga, Chapman of Meigs, Cole, Cooley, Conklin, Eshelman, Geghan, Gordon, Green, Grosvenor, Haag, Hardy, Harrison, Hatfield, Heitmann, Hoagland, Hodge, Holloway, Howland, Huston, Inman, Johnson, Kemp, Lewis, Mack, McCloud, McCoy, McKinley, McLain, Mesloh, Miller, Moorehead, Morris, Murlin, Myers of Ashland, Nelson, Newell, Newton, Norton, Parker, Pearson, Poe, Richards, Robb, Sater, Sheppard, Sherrick, Stone, Thompson of Lucas, Thompson of Montgomery, Van Meter, Weible, West, Williams and Speaker—68.

Those who voted in the negative were—

Messrs. Barnett, Barrett, Bay, Beatty, Carnahan, Coler, Conkright, Eidson, Faxon, Ford, Gowey, Herron, Holt, Marx, Martin, Myers of Fayette, Neff, Oren, Ray, Richmond, Scott, Varley, Vincent, Walker and White—25.

So the bill passed.

Mr. Baker of Perry moved to amend the title by adding "and to repeal a certain act therein named."

Which was agreed to; and the title, as amended, was then agreed to.

On motion of Mr. Grosvenor, the rule of the House was suspended, and H. B. No 35 was taken from the table, and ordered to be engrossed, and read the third time to morrow.

On motion of Mr. Brunner, the House took a recess until 10 o'clock A M. to-morrow.

FRIDAY, MARCH 6, 1874—10 o'clock A.M.

The House met pursuant to recess.

Prayer by the Rev. J. M. Richmond.

Leave of absence until Monday evening was granted Mr. Baker of Coshocton.

Mr. Pattison submitted the following report:

The joint committee on Enrollment have examined, and found correctly enrolled, the following bills and joint resolutions:

S. B. No. 18: To enable manufacturing companies to capitalize their debts by increasing their capital stock and creating preference shares, and to repeal the act passed April 11, 1862.

S. B. No. 60: To authorize the city of Toledo, in the State of Ohio, to borrow money.

S. J. R. No. 23: As to auditing the expenses incurred by committees of the two houses of the General Assembly.

S. J. R. No. 28: Appointing a committee to investigate matters relative to furnishing stationery supplies by the Secretary of State.

J. C. FISHER, L. A. BRUNNER,
A. M. BURNS, E. B. PARKER,
S. KNOX, HENRY HARDY,
M. C. LAWRENCE, H. M. CHAPMAN.
J. M. PATTISON.

The Speaker then, in the presence of the House, signed said bills and joint resolutions.

The following communication was received from the Governor:

EXECUTIVE DEPARTMENT,
COLUMBUS, *March* 5, 1874.

To the General Assembly:

I have the honor herewith to transmit a communication addressed to this department by William E. Merrill, Major of Engineers, etc., in the United States service, respecting legislation as to ceding the jurisdiction of the State over lands purchased for the construction of public works for the improvement of the navigation of the rivers within or bordering this State; and I respectfully call your attention thereto.

Having but one copy of the communication, the same is sent to the Senate.

Respectfully, W. ALLEN, *Governor.*

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate requests the return of H. B. No. 44, supplementary to an act passed April 29, 1873, entitled an act to create a board of fire commissioners in cities having a population exceeding ninety thousand inhabitants, and the message accompanying the same.

Attest: S. K. DONAVIN, *Clerk.*

On motion of Mr. Case, the request of the Senate was acceded to.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has passed the following bill, in which the concurrence of the House of Representatives is requested:

S. B. No. 71—By Mr. Potter: To amend the act entitled an act to establish and maintain an agricultural and mechanical college in Ohio, passed March 22, 1870. (O. L., Vol. 67, p. 20.)

Attest: S. K. DONAVIN, *Clerk.*

Said bill was read the first time.

Mr. Pattison submitted the following report:

The joint committee on Enrollment have examined, and found correctly enrolled, the following bills:

H. B. No. 83: To amend section 27 of an act entitled an act for the reorganization and maintenance of common schools, passed May 1, 1873.

H. B. No. 82: To amend an act entitled an act to prevent and punish the adulteration of milk and cheese, passed March 2, 1865, as amended March 14, 1871.

J. M. PATTISON, J. C. FISHER,
L. A. BRUNNER, M. C. LAWRENCE,
E. B. PARKER, S. KNOX,
H. M. CHAPMAN, A. M. BURNS.
O. B. CHAPMAN,

The Speaker then, in the presence of the House, signed said bills.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has concurred in the passage of H. B. No. 95, to authorize the creation of a separate school district in Porter township, Scioto county, Ohio, after amending the same as follows:

Strike out the word "separate" in the following places: In section 1, line three; in same section, line five; in section 2, line five; in same section, line nine; in same section, line eleven; in section 3, line two; in same section, at the end of line five, and the beginning of line six; and insert in lieu thereof the word "special."

Strike out all of section 3 after line six, and insert the following: "and said special school district shall be governed in all respects by such laws as now are or may hereafter be in force relating to special school districts."

The Senate has also amended the title of said bill, by striking out the word "separate," and inserting in lieu thereof the word "special."

In which the concurrence of the House of Representatives is requested.

Attest: S. K. DONAVIN, *Clerk.*

The question being on agreeing to the Senate amendments, the yeas and nays were ordered, and resulted—yeas 74, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Armstrong of Guernsey, Baker of Fairfield, Baker of Perry, Barnett, Barrett, Bay, Beach, Beatty, Bell, Blake, Brooke, Brunner, Case, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Cole, Coler, Cooley, Conklin, Conkright, Duncan, Eidson, Eshelman, Faxon, Gowey, Green, Grosvenor, Hardy, Harrison, Heitmann, Herron, Hoagland, Holt, Huston, Inman, Johnson, Kemp, Lewis, Light, Loomis, Martin, McCloud, McCoy, McKinley, McLain, Mesloh, Moorehead, Munson, Murlin, Myers of Ashland, Myers of Fayette, Neff, Nelson, Newell, Norton, Pattison, Pearson, Poe, Ramsay, Richards, Richmond, Robb, Sater, Sherrick, Stone, Thompson of Montgomery, Van Meter, Varley, Walker, Watson, West and Williams—74.

So the amendments were agreed to.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has passed the following bill, in which the concurrence of the House of Representatives is requested:

S. B. No. 40—By Mr. Seitz: To amend an act entitled an act to regulate and govern the Ohio Penitentiary, passed April 1, 1867. (S. & S., p. 512.)

Attest: S. K. DONAVIN, *Clerk.*

Said bill was read the first time.

Mr. Scott moved that the bill be laid on the table and printed.

On which motion the yeas and nays were demanded, ordered, and resulted—yeas 38, nays 48, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Barrett, Bay, Beatty, Blake, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Coler, Cooley, Conkright, Duncan, Faxon, Gowey, Grosvenor, Haag, Harrison, Herron, Hodge, Holloway, Holt, Howland, Johnson, Loomis, Marx, Martin, Miller, Munson, Myers of Fayette, Neff, Oren, Ramsay, Richards, Richmond, Scott, Stone, Varley, White and Williams—38.

Those who voted in the negative were—

Messrs. Archer, Baker of Fairfield, Baker of Perry, Barnett, Baskin, Beach, Bell, Boyce, Brooke, Brunner, Case, Cole, Conklin, Eidson, Eshelman, Geghan, Green, Hardy, Hatfield, Heitmann, Hoagland, Huston, Inman, Kemp, Lewis, Light, McCloud, McKinley, Mesloh, Moorehead, Murlin, Nelson, Newell, Norton, Parker, Pattison, Pearson, Poe, Robb, Sater, Sherrick, Thompson of Montgomery, Van Meter, Walker, Watson, Weible and West—48.

So the motion was disagreed to.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The following bills have been introduced in the Senate, and read the first time:

S. B. No. 113—By Mr. Reid: To amend section 31 of the act entitled an act to establish a code of civil procedure, passed March 11, 1853. (S. & C., 954; S. R. S., 630.)

S. B. No. 114—By Mr. Sheridan: To authorize boards of education of incorporated villages and separate school districts in the State of Ohio to determine on places to pay interest and principal of bonds which they are authorized to issue and sell.

S. B. No. 115—By Mr. Sheridan: To authorize the board of education of separate school district No. 1, of Hicksville township, Defiance county, Ohio, to borrow money and issue bonds for purchasing site and building a school-house in said separate district.

Attest: S. K. DONAVIN, *Clerk.*

Leave of absence until Tuesday next was granted Mr. Faxon, to Mr. Green until Monday, and to Mr. Sheppard for time indefinite.

The following bills were introduced on leave, and read the first time:

H. B. No. 268—By Mr. Eshelman: To authorize the commissioners of Wayne county to borrow money on the bonds of the county to discharge the existing liabilities of said county and to defray its current expenses.

H. B. No. 269—By Mr. Gordon: To authorize the trustees of Columbia township, Hamilton county, to issue bonds for certain purposes.

Leave of absence for an indefinite time was granted to Mr. Ray on account of sickness.

H. B. No. 109, to amend an act entitled an act to amend an act entitled an act to regulate the standard per bushel of stone coal, passed April 29, 1872, was read the third time.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 20, nays 54, as follows:

Those who voted in the affirmative were—

Messrs. Barnett, Baskin, Chapman of Cuyahoga, Cooley, Grosvenor, Hodge, Kemp, Loomis, Martin, McCloud, Miller, Munson, Myers of Ashland, Norton, Parker, Pattison, Richmond, Robb, Sater and Weib'e—20.

Those who voted in the negative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Baker of Fairfield, Baker of Perry, Barnett, Bay, Beatty, Bell, Blake, Brooke, Brunner, Case, Carnahan, Chapman of Meigs, Cole, Conklin, Conkright, Duncan, Eshelman, Geghan, Gowey, Green, Hardy, Harrison, Heitmann, Herron, Hoagland, Holloway, Holt, Howland, Light, Marx, McCoy, McKinley, McLain, Mesloh, Moorehead, Morris, Murlin, Myers of Fayette, Neff, Nelson, Newell, Pearson, Poe, Ramsay, Stone, Thompson of Lucas, Thompson of Montgomery, Van Meter, Varley, Walker, Watson and White—54.

So the bill, not having received a constitutional majority, was lost.

On motion of Mr. Case, the third reading of H. B. No. 241 was postponed until Thursday of next week.

On motion of Mr. Brunner, the House resolved itself into committee of the Whole on the order of the day—H. B. No. 175—Mr. Conklin in the chair.

After some time spent therein, the committee rose, reported progress, and asked leave to sit again.

Which was granted.

On motion of Mr. West, the House took a recess.

HALF-PAST TWO O'CLOCK P.M.

On motion of Mr. Eshelman, the House again resolved into committee of the Whole for the consideration of the order of the day—H. B. No. 175—Mr. Conklin in the chair. After some time spent therein, the committee rose, and reported the bill back, with the following amendments:

1. In section 1, line 9, strike out "eight hundred," and insert "eleven hundred and twenty-five."

2. In section 1, line 12, strike out "twelve hundred and seventy-five," and insert "fifteen hundred."

3. In section 1, line 13, strike out "in certain cases, fifteen hundred dollars," and insert "under the provisions of a joint resolution passed May 1, 1873, fifteen hundred dollars."

4 In line 17, section 1, strike out "six," and insert "seven."

5. Insert after line 19 the words, "To Robert Clarke & Co., eight hundred and seventy-five dollars for 350 copies of the 23d volume of Ohio State Reports."

6. In line 1, section 20, strike out "four," and insert "nine."

7. In section 1, line 21, strike out "etc.," and insert the words "and public documents."

8. In section 1 strike out line 22, and insert, "Salaries of clerks, including the necessary services required in carrying out the provisions of the act in relation to the bureau of statistics, passed April 17, 1869."

9. In section 1, line 27, strike out "one," and insert "six."

10. Add to the end of line 28 the words, "For fuel, three thousand dollars."

11. In section 1, line 33, strike out "nine," and insert "seven."

12. In section 1, line 34, strike out "one," and insert "two."

13. In section 1 strike out lines 42 and 43, and insert, "For employing an expert or experts by Railroad Commissioner to examine railroad bridges, to be paid on order indorsed by said Commissioner, two hundred and fifty dollars."

14. In section 1, line 46, strike out "eight," and insert "four."

15. In section 1, line 49, strike out "two," and insert "three."

16. In section 1 insert after line 49, "For books, magazines and papers, one thousand dollars."

17. In section 1, line 52, strike out "seven," and insert "six."

18. In section 1, line 54, strike out "one thousand," and insert "six hundred."

19. In section 1, line 55, strike out the word "due," and insert "for."

20. In section 1, line 57, strike out "due," and insert "for."

21. Insert between lines 60 and 61 the words, "For expenses of survey of lands near the Lewistown reservoir, under the resolution of the session of 1870, directing the Board of Public Works to appropriate and condemn as easement for the use of the State the right to flood certain lands near Lewistown reservoir, three hundred dollars."

22. Add at the end of line 62 the words, "to be paid on vouchers indorsed by the President of the State Board of Agriculture."

23. In section 1, line 63, insert after the word "expenses" the words "of the office of the Board of Agriculture."

24. In section 1 strike out lines 72 and 73, and insert: "For purchase of books, five hundred dollars."

25. Insert after line 73, section 1, "For assistant librarian and messenger of the Supreme Court, six hundred and twenty five dollars."

26. In section 1, line 76, strike out "twenty-two hundred and fifty," and insert "seven hundred and fifty."

27. In section 1, line 80, strike out "seventy," and insert "twenty."

28. In section 1, line 87, after the word "thousand," add "four hundred"

29. In section 1, lines 89 and 90, strike out "ninety-five thousand two hundred," and insert "one hundred and six thousand six hundred and fifty."

30. In section 1 strike out lines 93 and 94, and insert, "There is hereby appropriated from any money in the treasury, or that may come into the treasury from the income of the Ohio Agricultural and Mechanical College, for the trustees of said College, one thousand dollars."

31. In section 1, line 97, strike out "their," and insert "the."

32. In section 1, add after line 99, "There is hereby appropriated for the superintendence and repairs of the Western Reserve and Maumee road whatever sums have been or may be collected and paid into the State treasury to the credit of said road between the 15th day of November, 1874, and the 15th day of February, 1875."

33. In section 2, line 6, strike out "two thousand," and insert "twenty-six hundred and twenty five."

34. In section 2, after line 23, insert, "For gas works, twenty thousand dollars; and the board of trustees are directed to proceed, on the passage of this act, to contract for the erection of the same as provided for by law."

35. In section 2, lines 27 and 28, strike out "twenty-seven," and insert "eighteen."

36. In section 2, line 29, strike out "fifty one," and insert "sixty."

37. In section 2, after line 28, insert, "For building a kitchen to the hospital building, fifteen hundred dollars"

38. In section 2, line 33, strike out "thirteen thousand and eighteen," and insert "twelve thousand four hundred and fifty."

39. In section 2, line 38, strike out "twelve thousand four hundred and eighty-one," and insert "fourteen thousand four hundred."

40. In section 2, line 39, strike out "nine hundred and thirty-three dollars and twenty eight cents," and insert "eleven hundred dollars."

41. In section 2, line 42, strike out "fifteen thousand two hundred and fifty," and insert "fourteen thousand five hundred."

42. In section 2, line 44, strike out "two thousand three hundred," and insert "six thousand three hundred and fifty."

43 In section 2, line 46, after the word "cement," insert the word "flooring."

44. In section 2, line 52, insert after "matron" the words "assistant matron, housekeeper." Strike out "three thousand three hundred," and insert "three thousand nine hundred and fifty."

45. In section 2, line 54, strike out "thirty-six," and insert "fifty-one."

46. In section 2, after line 58, insert, "For cisterns, two thousand dollars."

47. In section 2, line 61, strike out "thirty-three," and insert "fifty-three thousand five hundred and forty-five."

48. In section 2, line 63, after "thousand," insert "five hundred."

49. Insert between lines 63 and 64, "Piazzas to new cottages, two thousand dollars."

50. In section 2, line 65, strike out "fifteen," and insert "two thousand three hundred and eighty."

51. Insert between lines 66 and 67, "For seats in chapel, five hundred and ninety-eight dollars."

52. In section 2, line 68, strike out "four," and insert "three hundred and thirty seven."

53. Insert between lines 68 and 69, "For library, two hundred dollars."

54. In section 2, line 70, strike out "forty-eight thousand nine hundred," and insert "fifty-seven thousand one hundred and fifty."

55. In section 2, line 73, strike out "forty-six thousand six hundred and eighty," and insert "forty-four thousand four hundred and fifty."

56. In section 2, line 75, strike out "nineteen thousand three hundred and fourteen," and insert "twenty-eight thousand two hundred and seven."

57. In section 2, line 76, strike out "five," and insert "eight."

58. In section 2, line 77, strike out "four thousand," and insert "five thousand three hundred and fifty."

59. In section 2, line 80, strike out "nine," and insert "seven."

60. In section 2, line 83, strike out "one," and insert "two."

61. Add after line 83, in section 2, "For new family building, to be expended under the laws now in force, ten thousand dollars."

62. In section 2, line 85, strike out "six," and insert "fifteen."

63. In section 2, line 86, strike out "seventeen," and insert "twenty."

64. In line 87, section 2, after the word "thousand," insert "five hundred."

65. In line 88, section 2, strike out "fifteen," and insert "twenty."

66. In section 4, at the end of line 9, add "and any further sum that may come into the sinking fund for that purpose."

67. Add to section 6 the following words: "No officer shall employ a greater clerical force than can be paid from the appropriations made to their respective offices for that purpose; and no clerk shall receive compensation to be paid, directly or indirectly, out of the State treasury, or from the funds of any State institution or board, or from any appropriation made from the treasury, for services in more than one capacity or clerkship; nor shall any clerk receive a greater compensation in the aggregate, for all services rendered, than two thousand dollars a year. The Auditor of State is specially directed to see that the foregoing provisions are observed and carried into effect."

68. Add to section 7 the following words: "Nor shall any debt be created against the State by any officer of the State, board of trustees or other person or persons having power to contract in behalf of the State, unless expressly authorized so to do by law."

69. In section 2, between lines 30 and 31, insert, "For the Longview Asylum, a sum to be computed and ascertained by the Auditor of State, which sum shall bear the same proportion to the appropriations for the other lunatic asylums of the State as the population of Hamilton county

bears to the population of the State, exclusive of Hamilton county, as ascertained by the Federal census of 1870."

70 In section 1, line 37, strike out "three hundred and seventy-five," and insert "five hundred and twenty-five."

71. Insert between lines 46 and 47 the following: "For printing second volume of the final report of Geological Survey, four thousand two hundred and fifty dollars."

72. In section 1, line 45, strike out "thirteen," and insert "sixteen."

73. In section 2, line 8, strike out "two," and insert "three."

74. Strike out line 9, section 2, and insert "flagging and cementing cellar, five thousand dollars."

75. Section 2, between lines 9 and 10, insert, "For grading and fencing, eight thousand dollars."

Mr. Scott moved that the bill and pending amendments be laid on the table and ordered to be printed in advance of other House printing.

Which was agreed to.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has concurred in the passage of H. B. No. 44, supplementary to an act passed April 29, 1873, entitled an act to create a board of fire commissioners in cities having a population exceeding ninety thousand inhabitants.

Attest: S. K. DONAVIN, *Clerk.*

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has passed the following bill, in which the concurrence of the House of Representatives is requested:

S. B. No. 61—By Mr. Morris: To re-district cities of the second class.

Attest: S. K. DONAVIN, *Clerk.*

Said bill was read the first time.

H. B. No. 193, to authorize the trustees of Champion township, Trumbull county, Ohio, to levy a tax to purchase a hearse, was read the third time.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 47, nays 20, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Armstrong of Guernsey, Baker of Fairfield, Barnett, Barrett, Bay, Beatty, Bell, Blake, Boyce, Chapman of Cuyahoga, Cole, Cooley, Conkright, Duncan, Eidson, Eshelman, Ford, Gowey, Grosvenor, Hardy, Harrison, Herron, Holt, Huston, Inman, Johnson, Loomis, Marx, McCoy, McLain, Miller, Munson, Murlin, Myers of Ashland, Myers of Fayette, Neff, Nelson, Ramsay, Richards, Scott, Stone, Thompson of Lucas, Van Meter, Varley and Williams—47.

Those who voted in the negative were—

Messrs. Baskin, Beach, Brooke, Case, Conklin, Geghan, Heitmann, Hoagland, McCloud, McKinley, Mesloh, Newell, Norton, Oren, Parker, Poe, Sater, Thompson of Montgomery, Weible and West—20.

So the bill, not having received a constitutional majority, was lost.

On motion of Mr. Conklin, the third reading of H. B. No. 181 was postponed until Tuesday next.

On motion of Mr. Sater, the third reading of H. B. No. 53 was postponed until Tuesday next.

On motion of Mr. Hatfield, the third reading of H. B. No. 92 was postponed until Wednesday next.

On motion of Mr. Scott, all bills on the calendar for third reading, except Senate Bills Nos. 51 and 8, and H. B. No. 142, were postponed until Tuesday next.

S. B. No. 51, supplemental to the code of criminal procedure for the State of Ohio, to provide for the mode of taking bail in criminal cases, and the justification of sureties therein, was read the third time.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 69, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Armstrong of Guernsey, Baker of Fairfield, Baker of Perry, Baskin, Bay, Beach, Beatty, Bell, Blake, Boyce, Brooke, Case, Carnahan, Chapman of Cuyahoga, Cole, Cooley, Conklin, Conkright, Duncan, Eidson, Eshelman, Geghan, Gowey, Grosvenor, Hardy, Harrison, Hatfield, Heitmann, Herron, Hoagland, Holt, Howland, Huston, Inman, Johnson, Loomis, Marx, McCloud, McCoy, McLain, Mesloh, Miller, Moorehead, Munson, Murlin, Myers of Fayette, Neff, Nelson, Newell, Oren, Parker, Pearson, Poe, Ramsay, Richards, Robb, Sater, Scott, Sherrick, Stone, Thompson of Lucas, Thompson of Montgomery, Van Meter, Varley, Weible, West and Williams—69.

So the bill passed. The title was agreed to.

H. B. No. 142, supplementary to an act entitled an act supplementary to an act making certain instruments of writing negotiable, passed February 25, 1820, passed March 30, 1857, was read the third time.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 69, nays 6, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Baker of Fairfield, Baker of Perry, Barrett, Bay, Beach, Beatty, Bell, Blake, Boyce, Brooke, Case, Chapman of Cuyahoga, Cole, Cooley, Conklin, Conkright, Duncan, Eshelman, Ford, Geghan, Gowey, Gordon, Grosvenor, Hardy, Harrison, Hatfield, Heitmann, Hoagland, Holloway, Holt, Howland, Huston, Inman, Johnson, Loomis, Marx, McCloud, McCoy, McKinley, Mesloh, Miller, Moorehead, Munson, Murlin, Myers of Fayette, Neff, Nelson, Newell, Norton, Parker, Pearson, Poe, Ramsay, Richards, Robb, Sater, Scott, Sherrick, Stone, Thompson of Lucas, Thompson of Montgomery, Van Meter, Varley, Weible, West, White and Williams—69.

Those who voted in the negative were—

Messrs. Armstrong of Guernsey, Barnett, Brunner, Eidson, Herron and Richmond—6.

So the bill passed. The title was agreed to.

S. B. No. 8, to amend section 543 of the act to provide for the organization and government of municipal corporations, passed May 7, 1869, and as amended May 2, 1871, was read the third time.

On motion of Mr. Marx, said bill was recommitted to the committee on Revision.

Leaves of absence were granted as follows: To Messrs. Sater, Huston, Hardy, Ramsay, Barnett, and the committee on Public Works, until Monday next; to Mr. Hill, until Tuesday next; to Mr. Howland, until Wednesday next; and to Mr. Grosvenor, for time indefinite.

The following bills were introduced, and read the first time:

H. B. No. 270—By Mr. Loomis: To authorize the board of education of the incorporated village of Medina to take up outstanding bonds, and issue new bonds, with extended time.

H. B. No. 271—By Mr. Ramsay: To provide for the removal of the seat of justice from West Union, Adams county, to Manchester, in said county.

H. B. No. 272—By Mr. Mesloh: To amend section 1 of the act entitled an act to require county commissioners to construct approaches to bridges.

Mr. Poe moved to reconsider the vote whereby H. B. No. 193 was lost.

Which was agreed to.

On motion of Mr. McLain, the further consideration of said bill was postponed till Wednesday next.

The following bills were introduced, and read the first time:

H. B. No. 273—By Mr. Howland: To amend section 20 of an act entitled an act prescibing the duties of counties auditors, passed and took effect April 4, 1859, as amended January 16, 1873.

H. B. No. 274—By Mr. Light: To authorize the citizens of the village of Leipsic, Putnam county, to hold a special election.

Mr. Boyce submitted the following report:

The committee on Revision have examined, and found correctly engrossed, House amendments to S. B. No. 8.

GEO. W. BOYCE, C. H. GROSVENOR,
ORVIL BLAKE WILLIAM M. MCKINLEY.

The question then being "Shall the bill (S. B. No. 8) pass?" the yeas and nays were ordered, and resulted—yeas 64, nays 4, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Armstrong of Guernsey, Baker of Fairfield, Barnett, Barrett, Baskin, Bay, Beach, Bell, Blake, Boyce, Brooke, Brunner, Case, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Cole, Cooley, Conkright, Duncan, Eidson, Eshelman, Ford, Geghan, Hardy, Hatfield, Heitmann, Howland, Huston, Inman, Johnson, Lewis, Light, Loomis, Marx, Martin, McCoy, McKinley, McLain, Mesloh, Miller, Moorehead, Myers of Fayette, Newell, Norton, Oren, Parker, Pearson, Poe, Ramsay, Robb, Sater, Scott, Sherrick, Stone, Thompson of Lucas, Thompson of Montgomery, Van Meter, Walker, Weible, West and Williams—64.

Messrs. Beatty, Harrison, Herron and Munson voted in the negative.

So the bill passed. The title was agreed to.

Mr. McKinley submitted the following report:

The committee on Revision have examined, and found correctly engrossed, H. B. No. 35.

WILLIAM M. MCKINLEY, ORVIL BLAKE,
C. H. GROSVENOR, E. B. PARKER,
JON. MORRIS, GEO. W. BOYCE.
JOHNSON SHERRICK,

Mr. Grosvenor submitted the following report:

The committee on Judiciary, to whom was referred H. B. No. 188, relating to the mode of administering assignments in trust, etc., having had the same under consideration, report it back, and recommend its engrossment and passage.

C. H GROSVENOR, J. H. HEITMANN,
J. M. HAAG, T. M. ROBB,
J. SCOTT, C. C. ARCHER,
WM W. BEATTY, J. M. PATTISON.

Said bill was ordered to be engrossed, and read the third time Wednesday next.

Mr. Grosvenor submitted the following report:

The committee on Judiciary, to whom was referred H. B. No. 235, pro-

viding for and regulating the publication of applications for local or special legislation, having had the same under consideration, report it back, and recommend its indefinite postponement.

C. H. GROSVENOR, J. H. HEITMANN,
J. M. HAAG, T. M. ROBB,
J. SCOTT, C. C. ARCHER,
WM. W. BEATTY, J. M. PATTISON.

Said report was agreed to, and the bill indefinitely postponed.

Mr. Grosvenor submitted the following report:

The committee on Judiciary, to whom was referred H. B. No. 195, to amend section 3 of an act relating to the jurisdiction and procedure before justices of the peace and of constables in certain cases, passed March 10, 1860, having had the same under consideration, report it back, with the following amendment: Strike out all after the 37th line of section 1 of said act, and insert as follows:

"Seventh: Where there is a promissory note, made payable at a particular place, containing a power of attorney duly executed in presence of a witness, authorizing the holder of such promissory note to appear by himself or attorney before any justice of the peace of the township where such promissory note is made payable, after the same shall become due, and confess judgment in favor of the original payee for the amount due on such promissory note, then such promissory note may be sued and collected, or judgment rendered thereon by confession, in the township where such place of payment is located, or in the township where such promissor or debtor resides, or either of said townships, at the option of the owner or holder of such promissory note; and in all cases where suit is brought under the provisions of this exception, the jurisdiction of the justice shall be co-extensive with the county; provided, before any such suit shall be brought or such judgment confessed notice shall be given by the holder of such note to the maker, at least five days prior to the rendition of such judgment, of the time and place when the holder will apply to enter such judgment, and such maker may appear and make any legal defense to such note."

And when so amended, that the same be engrossed and passed.

C. H. GROSVENOR, J. H. HEITMANN,
WM. W. BEATTY, C. C. ARCHER,
J. M. PATTISON, T. M. ROBB.

The amendment was agreed to.

Said bill was ordered to be engrossed, and read the third time Wednesday, March 18, 1874.

Mr. Grosvenor submitted the following report:

The committee on Judiciary, to whom was referred S. B. No. 89, to amend an act entitled an act to establish a code of criminal procedure for the State of Ohio, passed May 6, 1869, having had the same under consideration, report it back, and recommend its passage.

C. H. GROSVENOR, WM. W. BEATTY,
J. M. HAAG, T. M. ROBB,
J. SCOTT, C. C. ARCHER.

Said bill was ordered to be read the third time Wednesday next.

Mr. Grosvenor submitted the following report:

The committee on Judiciary, to whom was referred S. B. No. 59, to authorize a special term of the district court in Adams county, having had the same under consideration, report it back, with the following amend-

ment, and recommend its passage: In line three strike out the words "25th March," and insert "14th April."

C. H. GROSVENOR, J. H. HEITMANN,
J. M. HAAG, T. M. ROBB,
J. SCOTT, C. C. ARCHER,
WM. W. BEATTY, J. M. PATTISON.

The amendment was agreed to.

Said bill was then ordered to be engrossed, and read the third time Friday next.

Mr. Grosvenor submitted the following report:

The committee on Judiciary, to whom was referred S. B. No. 52, to amend the code of civil procedure, having had the same under consideration, report it back, and recommend its passage.

C. H. GROSVENOR, J. H. HEITMANN,
J. M. HAAG, T. M. ROBB,
J. SCOTT, C. C. ARCHER,
WM. W. BEATTY, J. M. PATTISON.

Said bill was ordered to be read the third time Wednesday next.

Mr. Barnett submitted the following report:

The committee on Roads and Highways, to whom was referred H. B. No. 170, supplementary to an act entitled an act to amend section 1 of an act entitled an act to authorize the commissioners of Franklin county to build a bridge across the Scioto river, in said county, and levy a tax for that purpose, having had the same under consideration, report it back, with the following amendments, and recommend its passage:

Strike out all after the word "county," in line seven of section 1, and insert the following: "One-half of said levy to be placed on the duplicate of said county for the year 1874, and the remaining half for the year 1875: Provided, however, that the total amount of the bridge levy for said years shall not exceed eight tenths of one mill."

ROBERT BARNETT, LEBBEUS COLE,
B. NEFF, C. A. STONE,
W. H. CONKRIGHT, E. P. NEWELL.

The amendments were agreed to; and said bill was ordered to be engrossed, and read the third time Thursday next.

Mr. Miller submitted the following report:

The committee on Municipal Corporations, to whom was referred H. B. No. 244, to authorize the issuing of bonds, and to regulate the making of contracts in certain cases, having had the same under consideration, report it back, and recommend that it be engrossed and passed.

E. W. MILLER, G. H. EIDSON,
WM. BELL, Jr., MILT. MCCOY.
HIRAM MURLIN,

Said bill was ordered to be engrossed, and read the third time Thursday next.

Mr. Miller submitted the following report:

The committee on Municipal Corporations, to whom was referred H. B. No. 117, to amend section 54 of an act passed April 17, 1864, entitled an act to amend sections 49, 53 and 54 of an act to provide for the creation and regulation of incorporated companies in the State of Ohio, passed May 1, 1852, and to repeal the section so amended, having had the same under consideration, report it back, with the recommendation that it be amended as follows, and, as amended, engrossed and passed:

In line nine, section 1, strike out the words "be formed," and insert in lieu thereof the words "go into operation."

In line 11, section 1, strike out the word "incorporation," and insert operation.

E. W. MILLER, GUIDO MARX,
G. H. EIDSON, WM. BELL, Jr.,
HIRAM MURLIN, O. J. HODGE.

The amendments were agreed to; and said bill was ordered to be engrossed, and read the third time on Wednesday next.

Mr. Miller submitted the following report:

The committee on Municipal Corporations, to whom was referred H. B. No. 245, to authorize the trustees of Atwater township, Portage county, to levy a tax for certain purposes therein named, having had the same under consideration, report it back, and recommend that it be engrossed and passed.

E. W. MILLER, O. J. HODGE,
WM. BELL, Jr., G. H. EIDSON.
GUIDO MARX,

Said bill was ordered to be engrossed, and read the third time on Wednesday next.

Mr. Bell submitted the following report:

The committee on Municipal Corporations, to whom was referred H. B. No. 214, having had the same under consideration, report it back, with the following amendments, and recommend that, as amended, it be passed:

Strike out in section 1, lines 1, 2 and 3, after the word "Ohio," the words "section 1 of the above recited act be so amended as to read as follows: Section 1."

Strike out in section 1, line 10, the words "in cities of the second class, after the passage of this act," and insert "after the passage of this act in said cities of the second class having a population of more than 31,000 at the last Federal census." Insert at the end of section 2 the words "so far as the same applies to said cities of the second class having a population of more than 31,000 at the last Federal census."

WM. BELL, Jr., O. J. HODGE,
HIRAM MUNSON, G. H. EIDSON,
GUIDO MARX, ED. W. MILLER.

Mr. Marx moved to recommit the bill to the committee on Municipal Corporations.

On which motion the yeas and nays were demanded, ordered, and resulted—yeas 31, nays 33, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Barrett, Bay, Beatty, Blake, Chapman of Meigs, Cooley, Duncan, Eidson, Ford, Gowey, Grosvenor, Harrison, Herron, Holt, Howland, Johnson, Loomis, Marx, Martin, McLain, Munson, Murlin, Myers of Fayette, Neff, Oren, Ramsay, Richards, Scott, Thompson of Lucas, and Varley—31.

Those who voted in the negative were—

Messrs. Archer, Baker of Fairfield, Barnett, Beach, Boyce, Brooke, Brunner, Case, Cole, Conklin, Eshelman, Heitmann, Hoagland, Huston, Inman, Lewis, Light, McCoy, McKinley, Mesloh, Miller, Norton, Poe, Robb, Sater, Sherrick, Thompson of Montgomery, Van Meter, Walker, Weible, West, White and Speaker—33.

So the motion was disagreed to.

The question then being on agreeing to the amendments as offered by

the committee, the yeas and nays were demanded, ordered, and resulted —yeas 43, nays 17, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Armstrong of Guernsey, Baker of Fairfield, Barnett, Beach, Blake, Boyce, Brooke, Brunner, Case, Cole, Conklin, Conkright, Duncan, Eidson, Eshelman, Heitmann, Herron, Hoagland, Huston, Inman, Lewis, Light, Marx, McKinley, Meslob, Miller, Moorehead, Myers of Fayette, Norton, Pearson, Robb, Sater, Stone, Thompson of Montgomery, Van Meter, Walker, Weible, West, White, Williams and Speaker—43.

Those who voted in the negative were—

Messrs. Barrett, Bay, Chapman of Meigs, Ford, Gowey, Grosvenor, Harrison, Howland, Johnson, Loomis, Martin, Munson, Neff, Oren, Scott, Sherrick and Varley—17.

So the amendments were agreed to.

Mr. Marx moved to amend the bill as follows: Strike out in line twenty-six, section 1, the word "April," and insert "June."

Which was disagreed to.

Mr. Scott then offered the following amendment: Strike out the figure "4" in line twenty-six, section 1, and insert the figure "5."

Which was disagreed to.

Said bill was then ordered to be engrossed, and read the third time Wednesday next.

Mr. Archer submitted the following report:

The committee on the Judiciary, to whom was referred H. B. No. 236, to exempt from execution or seizure any fund set apart by benevolent associations or societies for the families of deceased members, having had the same under consideration, report it back, and recommend its passage.

J. H. HEITMANN, C. H. GROSVENOR,
J. M. HAAG, J. M. PATTISON,
WM. W. BEATTY, C. C. ARCHER.
T. M. ROBB

Said bill was ordered to be engrossed, and read the third time Tuesday next.

Mr. Archer submitted the following report:

The committee on the Judiciary, to whom was referred H. B. No. 232, supplementary to an act entitled an act for the maintenance and support of illegitimate children, and to repeal certain acts therein named, having had the same under consideration, report it back, and recommend its indefinite postponement.

C. C. ARCHER, T. M. ROBB,
WM. W. BEATTY, C. H. GROSVENOR,
J. M. HAAG, J. M. PATTISON.

Said report was agreed to, and the bill indefinitely postponed.

Mr. Archer submitted the following report:

The committee on the Judiciary, to whom was referred H. B. No. 179, to amend sections 57, 60 and 61 of an act entitled an act of the jurisdiction and procedure before justices of the peace, and of the duties of constables in civil courts, passed March 14, 1853, having had the same under consideration, report it back, with the following amendments: In section 1, line two, after the word "fifty-seven," insert the word "fifty-eight;" also, after line thirteen of the same section insert the following:

"Section 58. If the place of the trial be changed on account of the justice being a material witness in the cause, or a law partner of the attorney

for either party in the case, such case shall be transferred for trial before some other justice of the peace of the same township, if there be one there legally competent to try such case. If there be no such justice within such township, or if such change be granted on account of the bias or prejudice of the citizens of such township against such party, or because the adverse party has an undue advantage over him therein, the case shall be taken to some justice in an adjoining township of the same county."

J. H. HEITMANN, C. H. GROSVENOR,
J. M. HAAG, J. SCOTT,
WM. W. BEATTY, C. C. ARCHER.
T. M. ROBB,

The amendments were agreed to.

Said bill was then ordered to be engrossed, and read the third time Tuesday next.

Mr. Walker submitted the following report:

The committee on New Counties and County Affairs, to whom was referred H. B. No. 216, relating to the infirmary of Ashland county, having had the same under consideration, report it back, with the following amendment, and recommend its passage as amended:

Strike out section 2, and insert as follows:

"Section 2. That the commissioners of Ashland county are hereby authorized to issue bonds—which bonds are to be signed by said commissioners and countersigned by the auditor of said county—not to exceed forty thousand dollars, to be used, in conjunction with proceeds of sale of present infirmary, towards the purchase of lands for the use of said infirmary, and for the erection of suitable buildings thereon.

"Section 3. Said bonds may be in denomination of not less than one hundred or more than five hundred dollars, and payable with interest not exceeding eight per cent. per annum, payable annually, and at such times as said commissioners shall deem for the best interest of the county, but in no case more than five years from the date thereof; and such bonds shall not be sold for less than their par value.

"Section 4. For the purpose of paying the interest on said bonds and so much of the principal thereof as may fall due, there shall be annually levied a tax on the taxable property of said county: Provided, that before the commissioners of said county shall issue any bonds as provided in this act, they shall, at some regular election, or special election called for that purpose, of which three weeks' notice shall be given in at least two newspapers of general circulation in said county, submit the question of such tax to the qualified electors of said county.

"Section 5. That the ballots to be voted at said election shall have printed or written thereon the words 'Infirmary Tax—Yes,' or 'Infirmary Tax—No,' and all ballots not having the words aforesaid printed or written thereon shall not be taken into account; and if a majority of said votes cast at such election shall be in favor of such tax, then the commissioners of said county shall be authorized to carry out the provisions of sections 2, 3 and 4 of this act.

"Section 6. This act shall be in force from and after its passage."

E. M. WALKER, JAMES WATSON,
R. RAMSAY, SHELDEN NEWTON,
S. A. WEST, HIRAM MURLIN.
J. B. RAY,

The amendment was agreed to.

Said bill was then ordered to be engrossed, and read the third time Wednesday next.

Mr. Case submitted the following report:

The committee on Common Schools and School Lands, to whom was referred petitions and remonstrances of citizens of Coshocton county, for and against the repeal of certain acts, having had the same under consideration, report them back, and ask to be discharged from the further consideration of the subject.

O. CASE, G. W. LIGHT,
J. A. MOOREHEAD, A. W. MUNSON,
JOHNSON SHERRICK, E. MARTIN.

Said report was agreed to, and the committee discharged.

Mr. Howland submitted the following report:

The committee on Finance, to whom was referred H. B. No. 184, to provide for the safe-keeping of public funds, and amendatory of an act entitled an act to establish the independent treasury of the State of Ohio, passed April 12, 1858, having had the same under consideration, report it back without recommendation.

W. P. HOWLAND, J. SCOTT,
E. M. GREEN, J. M. POE,
E. B. ESHELMAN, THOS. E. DUNCAN.

Said bill was ordered to be engrossed, and read the third time Wednesday next.

Mr. Howland submitted the following report:

The committee on Finance, to whom was referred H. B. No. 251, supplementary to several acts relating to the collection of delinquent taxes, having had the same under consideration, report it back, with the following amendments:

In line fifteen strike out all after the word "if" to the word "that," and insert "on the trial of said action it shall be found." Insert at the end of section 1 the following: "and the judgment debtor shall not be entitled to the benefit of the laws for stay of execution or exempting homesteads or any other property from levy or sale on execution in enforcing any such judgment."

W. P. HOWLAND, GEO. H. FORD,
E. M. GREEN, J. SCOTT,
R. HILL, GEO. W. BOYCE.
J. M. POE,

The amendments were agreed to.

Said bill was then ordered to be engrossed, and read the third time Wednesday next.

Mr. Weible submitted the following report:

The committee on Ditches, Drains and Water-courses, to whom was referred S. B. No. 56, supplementary to an act relating to ditches, passed April 12, 1871, having had the same under consideration, report it back, and recommend its engrossment and passage.

H. WEIBLE, W. H. CONKRIGHT,
G. W. LIGHT, T. M. ROBB,
N. HATFIELD, D. C. RICHMOND.

Said bill was ordered to be read the third time Tuesday next.

Mr. Van Meter submitted the following report:

The committee on Corporations other than Municipal, to whom was referred H. B. No. 201, to authorize the trustees of Russell township, Geauga

county, Ohio, to levy a tax for certain purposes therein named, having had the same under consideration, report it back, and recommend its passage.

WM. VAN METER, J. H. FAXON,
C. A. COLER, PAUL A. J. HUSTON.

Said bill was ordered to be engrossed, and read the third time Tuesday next.

Mr. West submitted the following report:

The committee on New Counties and County Affairs, to whom was referred S. B. No. 7, to authorize the trustees of Bedford township, Cuyahoga county, to levy a special tax and issue bonds for the purposes therein named, having had the same under consideration, report it back, and recommend its passage.

S. A. WEST, R. RAMSAY,
HIRAM MURLIN, J. B. RAY,
E. M. WALKER, JAMES WATSON.

Said bill was ordered to be read the third time Tuesday next.

Mr. Light submitted the following report:

The committee on Common Schools and School Lands, to whom were referred sundry petitions of citizens of Stark county for an amendment to the school law limiting boards of education in city districts of the second class to a levy of four mills for school purposes, having had the same under consideration, report it back, and ask to be discharged from the further consideration of the subject.

G. W. LIGHT, JOHNSON SHERRICK,
O. CASE, A. W. MUNSON,
J. A. MOOREHEAD, E. MARTIN.

Said report was agreed to, and the committee discharged.

Mr. Conklin submitted the following report:

The committee on Claims, to whom was referred the resolution for the relief of S. S. Rickly, having had the same under consideration, report it back, and recommend that it be not agreed to.

WM. T. CONKLIN, O. B. CHAPMAN,
O. CASE, GEO. S. BAKER,
B. NEFF, F. R. LOOMIS.
J. W. NELSON,

On motion of Mr. Case, said resolution was indefinitely postponed.

Mr. Martin submitted the following report:

The committee on Common Schools and School Lands, to whom was referred H. B. No. 249, to authorize boards of education to purchase text-books, having had the same under consideration, report it back, and recommend its passage.

E. MARTIN, J. A. MOOREHEAD,
O. CASE, A. W. MUNSON.
JOHNSON SHERRICK,

Said bill was ordered to be engrossed, and read the third time Wednesday next.

Mr. Martin submitted the following report:

The committee on Common Schools and School Lands, to whom was referred S. B. No. 49, supplementary to an act entitled an act for the reorganization and maintenance of common schools, passed May 1, 1873, having had the same under consideration, report it back, with the following amendments, and recommend its passage:

Section 1, line 8, after "1874," insert "or 1876." Section 5, line 16, strike out "two," and insert "six."

E. MARTIN, A. W. MUNSON,
O. CASE, J. A. MOOREHEAD,
G. W. LIGHT, JOHNSON SHERRICK.

The amendments were agreed to, and said bill was then ordered to be engrossed, and read the third time Wednesday next.

Mr. Baskin submitted the following report:

The committee on Turnpikes, to whom was referred H. B. No. 174, having had the same under consideration, report it back, with the recommendation that it be indefinitely postponed.

THOS. H. BASKIN, JOHN L. MYERS,
E. M. GREEN, HENRY HARDY.
G. H. EIDSON,

Said report was agreed to, and the bill indefinitely postponed.

Mr. Robb submitted the following report:

The committee on Judiciary, to whom was referred S. B. No. 25, to amend the second section of an act entitled an act to amend the first and second sections of an act passed April 17, 1837, entitled an act to amend the first and second sections of an act entitled an act regulating descents and distributions of personal estates, passed March 4, 1853, passed and took effect March 4, 1865, having had the same under consideration, report it back, with the recommendation that it be indefinitely postponed.

T. M. ROBB, C. C. ARCHER,
C. H. GROSVENOR, J. H. HEITMANN,
J. M. HAAG, J. SCOTT.
WM. W. BEATTY,

Said report was agreed to, and the bill indefinitely postponed.

Mr. Archer submitted the following report:

The select committee of one to whom was referred H. B. No. 7, with instructions to amend, reports the same back, amended as instructed.

C. C. ARCHER.

Mr. Scott moved that the sense of the House be again taken by yeas and nays on agreeing to the amendments.

Which was agreed to.

Thereupon the yeas and nays were ordered, and resulted—yeas 25, nays 31, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Barnett, Baskin, Beatty, Blake, Chapman of Cuyahoga, Chapman of Meigs, Coler, Conkright, Eshelman, Harrison, Hatfield, Inman, Martin, McCloud, McCoy, Moorehead, Munson, Norton, Parker, Sherrick, Stone, Van Meter, Weible and White—25.

Those who voted in the negative were—

Messrs. Armstrong of Guernsey, Baker of Fairfield, Beach, Brooke, Brunner, Carnahan, Cole, Duncan, Eidson, Ford, Gowey, Gordon, Grosvenor, Herron, Howland, Loomis, Marx, McKinley, Miller, Morris, Myers of Fayette, Neff, Pearson, Poe, Richards, Robb, Scott, Thompson of Montgomery, Varley, Walker and West—31.

So the amendments were disagreed to.

Said bill was then ordered to be engrossed, and read the third time Tuesday next.

Mr. Richards submitted the following report:

The select committee of one, to whom was referred H. B. No. 211, to amend section 1 of an act entitled an act to exempt specific articles of personal property from execution, passed April 16, 1873, having had the same under consideration, reports it back, with the following amendment, and recommends its passage.

Strike out all between the lines thirty and thirty-six, inclusive, and substitute the following:

"Sixth. One half of the personal earnings of the debtor, and the personal earnings of his or her minor child or children, for any time not exceeding three months previous to the rendition of judgment had for debt contracted for the support of the family of said debtor, and upon which judgment execution is issued, when it shall be made to appear, by the affidavit of the debtor, or otherwise, that such part of said earnings of said debtor is necessary to the support of such debtor, or his or her family." R. G. RICHARDS.

The amendment was agreed to.

Said bill was then ordered to be engrossed, and read the third time Tuesday next.

On motion of Mr. McKinley, the House adjourned.

Attest: THOMAS COUGHLIN, *Clerk.*

SATURDAY, MARCH 7, 1874—10 o'clock A.M.

The House met pursuant to adjournment.

Prayer by the Rev. J. M. Richmond.

Mr. McLain moved that the House reconsider the vote by which H. B. No. 102 was lost on passage.

On which motion the yeas and nays were demanded, ordered, and resulted—yeas 45, nays 8, as follows:

Those who voted in the affirmative were—

Messrs. Baker of Fairfield, Baskin, Bay, Beach, Brooke, Brunner, Cole, Coler, Conklin, Duncan, Eshelman, Harrison, Hatfield, Hoagland, Inman, Kemp, Lewis, Light, Loomis, McCloud, McKinley, McLain, Mesloh, Moorehead, Morris, Munson, Murlin, Myers of Ashland, Newell, Norton, Parker, Poe, Richards, Robb, Sherrick, Stone, Thompson of Montgomery, Van Meter, Varley, Walker, Weible, West, White, Williams and Speaker—45.

Those who voted in the negative were—

Messrs. Armstrong of Guernsey, Carnahan, Chapman of Meigs, Eidson, Marx, Myers of Fayette, Neff and Scott—8.

So the motion to reconsider was lost, there being no quorum voting.

Leave of absence was granted Mr. Blake until Monday.

Mr. Eshelman demanded a call of the House. Fifty-three members answered to their names.

The absentees were Messrs. Archer, Armstrong of Belmont, Baker of Coshocton, Baker of Perry, Barnett, Barrett, Beatty, Bell, Blake, Boyce, Case, Chapman of Cuyahoga, Cooley, Conkright, Faxon, Ford, Geghan, Gowey, Gordon, Green, Grosvenor, Haag, Hardy, Haven, Heitmann, Hill, Hodge, Holloway, Holt, Howland, Huston, Johnson, Mack, Mann, Martin, McCoy, Miller, Nelson, Newton, Oren, Pattison, Pearson, Ramsay, Ray, Richmond, Sater, Sheppard, Thompson of Lucas, Tryon, Vincent, Walker and Watson.

The Sergeant-at-Arms was dispatched for absentees.

On motion of Mr. Eshelman, further proceedings under the call were dispensed with.

Leaves of absence for time indefinite were granted Messrs. Mann, Beatty and Archer.

The question then being on the motion of Mr. McLain to reconsider the vote on the passage of H. B. No. 102, the yeas and nays were ordered, and resulted—yeas 45, nays 8, as follows:

Those who voted in the affirmative were—

Messrs. Baker of Fairfield, Baskin, Bay, Beach, Blake, Brooke, Brunner, Chapman of Meigs, Cole, Coler, Conklin, Duncan, Eshelman, Harrison, Hatfield, Hoagland, Inman, Kemp, Lewis, Light, Loomis, McCloud, McKinley, Mesloh, Moorehead, Morris, Munson, Murlin, Myers of Ashland, Newell, Norton, Parker, Poe, Richards, Sherrick, Stone, Van Meter, Varley, Weible, West, White and Williams—45.

Those who voted in the negative were—

Messrs. Armstrong of Guernsey, Carnahan, Eidson, Marx, Myers of Fayette, Neff, Robb and Scott—8.

So the motion was agreed to.

On motion of Mr. Van Meter, the bill was ordered to be read the third time Wednesday next.

Leaves of absence until Monday next were granted Messrs. Oren, Cole and McCoy.

The Journal of Thursday and Friday was read and approved.

Mr. Loomis presented the remonstrance and resolution of a mass meeting composed of citizens of Medina county, asking the General Assembly not to interfere with the present enactment known as the Adair law; or if so, to make the law more stringent, and provide for its easier execution.

Which was read at the Clerk's desk, and referred to the committee on Temperance.

Mr. Beach presented the remonstrance of W. C. Denny and 260 other citizens of Mount Vernon, Knox county, Ohio, against the repeal or modication of the Adair liquor law.

Which was referred to the committee on Temperance.

Mr. Beach presented the remonstrance of Geo. W. Bunn and 755 other citizens of Knox county, against the modification or repeal of the Adair liquor law.

Which was referred to the committee on Temperance.

Mr. White presented the petition of William Stremmel and 114 other citizens of Crawford county, asking for the passage of S. B. No. 40, to regulate and govern the Ohio Penitentiary.

Which was referred to the committee on Penitentiary.

Mr. Walker presented the petition of J. L. Gard and 479 other citizens of Darke county, Ohio, praying the General Assembly against the repeal of the Adair liquor law.

Which was referred to the committee on Temperance.

Mr. Lewis presented the petition of Col. J. J. Robinson and 90 other citizens of Tuscarawas county, asking the General Assembly to amend sections 7 and 10 of an act entitled an act to provide against the evils resulting from the sale of intoxicating liquors in the State of Ohio, passed May 1, 1854, amended April 18, 1870, so that a notice shall be given to the person selling or giving to any person intoxicating liquors before the right of action shall accrue to any person or persons, jointly or severally, to commence a suit for damages under said act in any of the courts of this State having jurisdiction thereof.

Which was referred to the committee on Temperance.

Mr. Morris presented the petition of Wm. Johnson and 75 other citizens of Delta school district, Lawrence county, asking for a special act to authorize the citizens of said school district to prohibit the selling or giving away any intoxicating liquors.

Which was referred to the committee on Temperance.

Mr. Duncan presented the remonstrance of Jas. M. Briggs, J. H. Pollock and 2,770 other citizens of Morrow county, against the removal of the county seat of said county from Mt. Gilead to Cardington.

Which was referred to the committee on New Counties and County Affairs.

Mr. Morris presented the memorial of W. S. Barnett and 56 other citizens of Catlettsburg, Kentucky.

Which was read at the Clerk's desk, and referred to the committee on Temperance.

Mr. Conklin presented the petition of J. Y. Duncan and 64 other citizens of Pickaway county, for the passage of H. B. No. 203.

Which was referred to the committee on Common Schools and School Lands.

Mr. Conklin presented the petition of Bently Groce and 54 other citizens of Pickaway county, asking for the passage of H. B. No. 203.

Which was referred to the committee on Common Schools and School Lands.

Mr. Hoagland presented the remonstrance of John A. Deapold and 156 other citizens of Holmes county, against the passage of H. B. No. 35.

Which was, on motion of Mr. Hoagland, laid on the table.

Mr. Kemp presented the petition of Simon Emerick and 70 other citizens of Montgomery county, for the passage of H. B. No. 35.

Which was referred to the committee on Agriculture.

Mr. Kemp presented the memorial of Henry Traber and 15 other citizens of Butler county, asking relief for Henry Traber, former treasurer of said county.

Which was referred to the committee on Claims.

Mr. Kemp presented the petition of W. H. Smith and 40 other citizens of Butler county, for the passage of H. B. No. 203.

Which was referred to the committee on Common Schools and School Lands.

Mr. Kemp presented the petition of P. H. Cone and 50 other citizens of Butler county.

Which was read at the Clerk's desk, and referred to the committee on Common Schools and School Lands.

Mr. Neff presented the petition of John Garst and 72 other citizens of Clarke county, for a law to prevent hunting on lands without consent of the owners.

Which was referred to the committee on Agriculture.

Mr. Neff presented the remonstrance of David Bopp and 123 other citizens of Clarke county, against the passage of the Kemp game bill.

Which was referred to the committee on Agriculture.

Mr. West presented the petition of D. H. Nichols and 12 other citizens of Clermont county, constituting the board of directors of the "Clermont County Agricultural, Horticultural and Mechanic Art Association," in favor of the passage of H. B. No. 35.

Which was referred to the committee on Agriculture.

Mr. Robb presented the remonstrance of Jacob Abel and 54 other citi-

zens of Allen county, against the passage of H. P. No. 101, to levy a tax to purchase and improve fair grounds.

Which was referred to the committee on Agriculture.

Mr. Robb presented the petition of Jeremiah Bechtel, Wm. Craig and 60 other citizens of Allen county, asking that no law which will impair or weaken the statutes now in force which provide against the evils resulting from the sale of intoxicating liquors may be passed.

Which was referred to the committee on Temperance.

Mr. McKinley presented the petition of H. M. Mosier and 25 other citizens of Hancock county, for the passage of H. B. No. 35, known as the Kemp bill.

Which was referred to the committee on Agriculture.

Mr. McKinley presented the petition of Lyman Sharp and 38 other citizens of Hancock county, for the passage of H. B. No. 35, known as the Kemp bird bill.

Which was referred to the committee on Agriculture.

Mr. Thompson of Montgomery presented the petition of Jefferson Brown and 30 other citizens of Montgomery county, for the passage of H. B. No. 203.

Which was referred to the committee of the Whole.

Mr. Inman presented the petition of Andrew Smith and 19 other citizens of Sandusky county, for the passage of H. B. No. 203, known as the school text-book bill.

Which was referred to the committee of the Whole.

The following bill was read the second time:

S. B. No. 40: To amend section 1 of an act entitled an act to regulate and govern the Ohio Penitentiary, passed April 1, 1867.

Mr. Scott moved that the bill be laid on the table and printed.

Mr. Eshelman moved to refer the bill to the committee on Penitentiary.

Mr. Scott's motion to lay on the table and print having preference, was first put.

On which motion the yeas and nays were demanded, ordered, and resulted—yeas 22, nays 32, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Guernsey, Bay, Carnahan, Chapman of Meigs, Coler, Duncan, Eidson, Ford, Gowey, Harrison, Herron, Loomis, Marx, McLain, Morris, Munson, Myers of Fayette, Neff, Richards, Scott, Stone and Varley—22.

Those who voted in the negative were—

Messrs. Baker of Fairfield, Baskin, Beach, Brooke, Brunner, Conklin, Eshelman, Hatfield, Hoagland, Inman, Kemp, Lewis, Light, McCloud, McKinley, Mesloh, Moorehead, Murlin, Myers of Ashland, Newell, Norton, Parker, Poe, Robb, Sherrick, Thompson of Montgomery, Van Meter, Walker, Weible, West, White and Speaker—32.

So the motion was disagreed to.

Mr. Scott then moved that the bill be referred to the committee of the Whole.

Which was disagreed to.

Said bill was then referred to the committee on Penitentiary.

The following bill was read the second time:

S. B. No. 61: To re-district cities of the second class.

Mr. Eshelman moved to refer the bill to a select committee of two.

Mr. Marx moved to refer said bill to the committee on Municipal Corporations.

On which motion the yeas and nays were demanded, ordered, and resulted—yeas 23, nays 30, as follows:

Those who voted in the affirmative were—

Messrs. Bay, Carnahan, Chapman of Meigs, Duncan, Ford, Gowey, Harrison, Herron, Light, Marx, McCloud, McLain, Mesloh, Morris, Munson, Murlin, Myers of Fayette, Neff, Newell, Scott, Stone, Varley and Williams—23.

Those who voted in the negative were—

Messrs. Baker of Fairfield, Baskin, Beach, Brooke, Brunner, Coler, Eidson Eshelman, Hatfield, Hoagland, Inman, Kemp, Lewis, Loomis, McKinley, Moorhead, Norton, Parker, Poe, Richards, Robb, Sherrick, Thompson of Montgomery, Van Meter, Walker, Weible, West, White and Speaker—30.

So the motion was disagreed to.

The question then recurring on the motion of Mr. Eshelman to recommit to a select committee of two, it was agreed to; and Messrs. Thompson of Montgomery and Coler were appointed said committee.

Mr. Eshelman moved that the House do now take a recess.

On which motion the yeas and nays were demanded, ordered, and resulted—yeas 9, nays 37, as follows:

Those who voted in the affirmative were—

Messrs. Baker of Fairfield, Brooke, Carnahan, Chapman of Meigs, Lewis, Light, Myers of Ashland, Poe and Robb—9.

Those who voted in the negative were—

Messrs. Baskin, Bay, Beach, Brunner, Coler, Conklin, Duncan, Ford, Gowey, Harrison, Herron, Hoagland, Kemp, Loomis, Marx, McCloud, McKinley, McLain, Mesloh, Moorehead, Munson, Murlin, Myers of Fayette, Neff, Newell, Norton, Parker, Richards, Sherrick, Stone, Thompson of Montgomery, Van Meter, Walker, Weible, West, White and Williams—37.

So the motion was disagreed to.

On motion of Mr. Ford, the House adjourned.

Attest: THOMAS COUGHLIN, *Clerk.*

MONDAY, MARCH 9, 1874—10 o'clock A.M.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Hutchins.

The Journal of Saturday was read and approved.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has passed the following bill, in which the concurrence of the House of Representatives is requested:

S. B. No. 47—By Mr. Fisher: Supplementary to an act entitled an act to exempt specific articles of personal property from execution, passed April 16, 1873. (O. L., Vol. 70, p. 132.)

Attest: S. K. DONAVIN, *Clerk.*

Said bill was read the first time.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The following bills have been introduced in the Senate, and read the first time:

S. B. No. 116—By Mr. Buell: To provide a more equitable mode for the assessment and collection of taxes upon the property of, and shares in, building associations organized under the laws of Ohio.

S. B. No. 117—By Mr. Corwin: For the relief of Mary Waters and Ellen Waters.

S. B. No. 118—By Mr. Thompson: To authorize the trustees of the Worthington Female College to pay over to the Ohio Annual Conference of the Methodist Episcopal Church certain unclaimed moneys.

Attest: S. K. DONAVIN, *Clerk.*

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has adopted the following joint resolution, in which the concurrence of the House of Representatives is requested:

S. J. R. No. 25—By Mr. Butterworth: Authorizing the Commissioners of the State Library to make improvements in the library room.

Attest: S. K. DONAVIN, *Clerk.*

On motion of Mr. Brooke, said resolution was referred to the committee on Library.

Mr. Loomis presented the petition of S. H. Bradley, E. J. Fenn and forty other citizens of Medina village, asking for the passage of an act to extend the time of payment of certain school bonds, by taking up the old bonds and issuing new bonds instead.

Which was referred to the committee on Finance.

Mr. Holloway presented the petition of I. B. Barns and two hundred and seven other voters of Salem township, Columbiana county, asking for the passage of an act creating two election precincts in Salem township.

Which was referred to the committee on New Counties and County Affairs.

Mr. Bell presented the memorial of the city council of the city of Newark, Licking county, against the abandonment of the Granville feeder, in said county, and asking that such action be taken as to cause said feeder to be thoroughly repaired.

Which was referred to the committee on Public Works.

Mr. Gordon presented the petition of Hon. Benj. Eggleston and one hundred and forty-one other citizens of Cincinnati, Hamilton county, asking for the passage of H. B. No. 168, authorizing the commissioners of Hamilton county to construct a new bridge, with suitable approaches, above high water mark, on the site of the present Union bridge, over the Little Miami river.

Which was referred to the committee on New Counties and County Affairs.

Mr. Lewis presented the petition of M. A. Weetheim and one hundred other citizens of Tuscarawas county, praying for an amendment in that of a notice to the Adair law.

Which was referred to the committee on Temperance.

Mr. Thompson of Lucas presented the petition of S. S. Ketcham and thirty other citizens of Lucas county, for a law authorizing the commissioners to purchase land for fair grounds.

Which was referred to the committee on New Counties and County Affairs.

Mr. McLain moved to reconsider the vote whereby H. B. No. 184 was ordered to be engrossed.

Which was agreed to.

Mr. McLain then moved to amend said bill as follows:

Add at the end of section 2 the following words, viz.: "And any and all interest received for the use of said deposits shall belong to and be placed in the general county fund; and any member of the board who shall accept any gift, pay, perquisite or other valuable consideration from any person connected with or interested in any bank or banking firm, whereby he may be influenced in favor of selecting such bank or firm as a place for the deposit of public funds, shall, on conviction thereof, before any court of competent jurisdiction, forfeit and pay for every such offense a fine of not less than fifty nor more than five hundred dollars, at the discretion of said court."

Also, strike out the word "appear," in line 3 of section 5, and substitute the words "on proper proof, be established and proven."

Also, in line 5, section 5, strike out "shall neglect," and substitute "has neglected."

Also, in line 7, after the word "malfeasance," insert the words, "provided, that notice in writing shall be served on the treasurer by the clerk of the board at least ten days before said meeting, notifying him that a hearing will be had at that time, and specifying the charges preferred against him."

After the word "qualified," in line 13, section 5, insert the words, "and said appointed treasurer, before entering upon the duties of his office, shall give the same bond and take the same oath."

In line 2, section 6, in place of the word "quarterly," insert "semi-annually."

After section 8 add the words, "All meetings of the board shall be held, and the records shall be kept, at the county auditor's office."

After the word "thirteen," in line 1, section 10, insert the words, "fourteen, fifteen."

After section 11 insert as follows: "Section 12. The provisions of this act are so extended as to authorize cities and incorporated villages to deposit funds belonging to such corporation whenever the city council or village council shall so direct, by resolution or ordinance, subject to the provisions of this act in relation to said board of supervisors for counties, and the powers and duties conferred by this act upon said board of supervisors are hereby conferred upon the councils of said cities and villages, except that when the county treasurer is ex officio city treasurer his removal shall only be by the board of supervisors. All interest accruing from moneys belonging to said cities and incorporated villages, and realized from said deposits, shall be credited to the sinking fund, or general fund of such corporation, as said council may designate."

Said amendments were agreed to, and the bill was ordered to be engrossed, and read the third time Thursday next.

The following bills were read the second time:

H. B. No. 257: Supplementary to an act entitled an act to authorize the county commissioners to construct roads on a petition of a majority of resident land-owners along and adjacent to the line of said road, and to repeal an act therein named, passed and took effect March 29, 1867, and supplementary to the acts amendatory thereof.

Referred to the committee on Turnpikes.

S. B. No. 71: To amend the act entitled an act to establish and maintain an agricultural and mechanical college in Ohio, passed March 22, 1870.

Referred to the committee on Universities and Colleges.

S. B. No. 107: To extend the provisions of the act entitled an act to promote and encourage law library associations," passed April 27, 1872.

Referred to the committee on Judiciary.

H. B. No. 258: To amend section 26 of an act entitled an act relating to ditches, passed April 12, 1871.

Referred to the committee on Ditches, Drains and Water-courses.

H. B. No. 259: To create two election precincts in the township of Salem, Columbiana county.

Referred to the committee on New Counties and County Affairs.

H. B. No. 260: To amend section 15 of an act entitled an act relating to juries, passed April 26, 1873.

Referred to the committee on Judiciary.

H. B. No. 261: To create a joint sub-district for school purposes in the township of Miami, Logan county; Adams township, Champaign county; and Perry township, Shelby county, Ohio.

Referred to the committee on Common Schools and School Lands.

H. B. No. 262: To amend section 335 of an act entitled an act to provide for the organization and government of municipal corporations, passed April 9, 1869, as amended April 18, 1870.

Referred to the committee on Municipal Corporations.

H. B. No. 263: Supplementary to an act entitled an act for the relief of the poor, etc., passed April 26, 1872.

Referred to the committee on Finance.

H. B. No. 264: To provide for the republication of certain volumes of the Ohio State Reports.

Referred to the committee on Judiciary.

Mr. Holloway, on leave, presented the petition of Josiah Rohrbaugh and 114 other citizens of Columbiana county, asking that drunkenness be made a crime, punishable with fine and imprisonment.

Which was referred to the committee on Judiciary.

Mr. McLain, on leave, presented the remonstrance of Mrs. Albert Yeomans and 250 other citizens of Trumbull county, against the repeal or modification of the Adair law.

Which was referred to the committee on Temperance.

The second reading of bills was resumed.

H. B. No. 265: To fix the prices for legal advertising.

Mr. Eidson moved to refer said bill to the committee on Judiciary.

Which was disagreed to.

Mr. Eshelman moved to refer the bill to the committee on Public Printing.

Which was agreed to, and the bill so referred.

H. B. No. 266: To repeal an act therein named.

Referred to the committee on Judiciary.

H. B. No. 267: To authorize the trustees of Spencer township, Hamilton county, to sell the township hall.

Referred to the committee on New Counties and County Affairs.

H. B. No. 268: To authorize the commissioners of Wayne county to borrow money on the bonds of the county to discharge the existing liabilities of said county, and to defray its current expenses.

Referred to the committee on Finance.

H. B. No. 269: To authorize the trustees of Columbia township, Hamilton county, to issue bonds for certain purposes.

Referred to the committee on New Counties and County Affairs.

H. B. No. 270: To authorize the board of education of the incorporated village of Medina to take up outstanding bonds and issue new bonds, with extended time.

Referred to the committee on Public Schools.

On motion of Mr. Light, the constitutional rule requiring bills to be read on three several days was dispensed with, and H. B. No. 274, to authorize the citizens of Leipsic, Putnam county, to hold a special election, was read the second time now, and referred to the committee on Municipal Corporations.

Mr. Loomis moved to reconsider the vote whereby H. B. No. 263 was referred to the committee on Finance.

Mr. Brunner rose to a question of privilege, and asked to have the following extract from the Cincinnati Times read at the Clerk's desk:

COLUMBUS, *March* 6.

"The Democratic side of the House and Senate is still without form and void. It is a party without a leader. It is like an angle worm, altogether too much tail for its head; or, still more correctly, it has no head, but has an astonishing number of tails; it is nearly all tails. Whenever a party struggle occurs in the House, the Republicans are almost sure to gain the advantage. On their side, Scott and Grosvenor stand prominently forth, united, well-trained, respected as acknowledged leaders, and when a call is made, the Republican ranks close up in solid phalanx, while their Democratic opponents struggle about them and fire in random shots at them and at each other. Not a single contest of a party nature has yet occurred in which the Republicans did not get the better of the other side."

Mr. Loomis moved that H. B. No. 263 be referred to the committee on New Counties and County Affairs.

Which was agreed to.

Mr. Scott moved that the Finance committee be discharged from the further consideration of the petition relating to the issuing of bonds by the village of Medina.

Which was agreed to, and the committee discharged.

Mr. Loomis moved that the petition be referred to the committee on Common Schools and School Lands.

Which was agreed to.

The following bills were introduced, and read the first time:

H. B. No. 275—By Mr. Pearson: To authorize the county commissioners of any county to locate and improve roads in certain specified cases.

H. B. No. 276—By Mr. Thompson of Lucas: To authorize the commissioners of Lucas county to levy a tax for the purpose of purchasing and improving additional grounds for the Lucas County Agricultural Society.

Mr. Thompson of Lucas moved that the constitutional rule be dispensed with, and the bill be read the second time now by its title.

Which was agreed to, and the bill was then read and referred to the committee on Agriculture.

H. B. No. 277—By Mr. Myers of Asland: To amend an act entitled an act to amend the first section of an act regulating the fees of sheriffs in civil and criminal cases, passed March 13, 1836, and took effect June 1, 1836, and amended April 13, 1865. (S. & C., 631; S. & S., 364.)

Mr. Murlin submitted the following report:

The committee on Municipal Corporations, to whom was referred H. B. No. 217, to amend section 141 of the municipal code, having had the same

under consideration, report it back, and recommend that it be engrossed and passed.

HIRAM MURLIN, GUIDO MARX,
E. W. MILLER, O. J. HODGE,
WM. BELL, Jr., G. H. EIDSON.

Said bill was ordered to be engrossed, and read the third time Thursday next.

Mr. Coler submitted the following report:

The committee on Corporations other than Municipal, to whom was referred H. B. No. 163, to amend an act entitled an act to amend an act entitled an act supplementary to the act entitled an act to provide for the creation and regulation of incorporated companies in the State of Ohio, passed May 1, 1852, having had the same under consideration, report it back, with the recommendation that it be indefinitely postponed.

C. A. COLER, W. P. HOWLAND,
J. H. FAXON, J. M. POE,
WM. VAN METER, PAUL A. J. HUSTON.

The report of the committee was agreed to, and the bill indefinitely postponed.

Mr. Scott offered the following resolution:

H. J. R. No. 29: WHEREAS, The length of time given to patentees for the exclusive production and sale of articles patented under the laws of the United States, and especially the practice of renewing patents, tend, unjustly, to enrich monopolists at the expense of the people; therefore

Resolved by the General Assembly of the State of Ohio, That our Senators be and they are hereby instructed, and our Representatives in Congress requested, to use their influence for the passage of such laws as will reduce the length of time which patents hereafter granted shall run, and prevent the renewal of any patent now or hereafter granted.

On motion of Mr. Scott, said resolution was laid on the table and ordered to be printed.

Mr. Brunner offered the following resolution:

H. R. No. 83: *Resolved*, That the rule referring to the use of the Hall for any other than legislative purposes be suspended, and that the use of this Hall be tendered to Captain Whiting, in which to deliver, upon invitation of a number of members of the House, his lecture on the United States Arctic Expedition of 1855, and rescue of Dr. Kane, on Thursday evening, March 12, 1874.

Mr. White gave notice of a desire to discuss said resolution; so, under the rule, it was laid on the table.

Mr. Brunner moved a suspension of the rule.

Which was agreed to, and the resolution was then adopted.

Mr. Eidson offered the following resolution:

H. J. R. No. 30: WHEREAS, It has been the great fault of our Legislature for many years to legislate too much, and so many amendatory and supplemented acts are passed that our courts are sometimes at a loss to know what the law is, and frequently at a great loss to find out what it means. There may have been some excuse heretofore for long sessions, but now, in the face of all the circumstances, and especially in the face of all the promises of economy made by the party in power when asking the people last fall for their votes, there is certainly no use for the preparation that is now being made for a long session; and

WHEREAS, The new Constitution, now in preparation at Cincinnati, will

be submitted to the people of the State of Ohio for adoption, and the depressed financial condition of the country and the oppression by taxation demands an early adjournment; therefore

Resolved by the General Assembly of the State of Ohio, That this General Assembly adjourn on Thursday, March 26, 1874.

Mr. Case moved to refer said resolution to the committee on Finance.

On which motion the yeas and nays were demanded, ordered, and resulted—yeas 37, nays 13, as follows:

Those who voted in the affirmative were—

Messrs. Baker of Fairfield, Baker of Perry, Beach, Bell, Brooke, Brunner, Case, Carnahan, Conklin, Eshelman, Ford, Hatfield, Heitmann, Hoagland, Holloway, Inman, Kemp, Lewis, Light, McCloud, McCoy, McKinley, Mesloh, Murlin, Myers of Fayette, Nelson, Newell, Norton, Pattison, Pearson, Poe, Robb, Thompson of Lucas, Thompson of Montgomery, Van Meter, Weible and West—37.

Those who voted in the negative were—

Messrs. Armstrong of Guernsey, Bay, Chapman of Meigs, Coler, Eidson, Harrison, Loomis, Myers of Ashland, Scott, Sherrick, Stone, Varley and White—13.

There being no quorum voting, Mr. Brunner demanded a call of the House.

The roll was called, and 60 members answered to their names.

The Sergeant-at-Arms was dispatched for absentees.

Mr. Case moved that further proceedings under the call be dispensed with.

Which was agreed to.

The question then being on the motion to refer H. J. R. No. 30 to the committee on Finance, the yeas and nays were ordered, and resulted—yeas 43, nays 13, as follows:

Those who voted in the affirmative were—

Messrs. Baker of Fairfield, Baker of Perry, Baskin, Beach, Bell, Brooke, Brunner, Case, Conklin, Eshelman, Ford, Gordon, Haag, Hatfield, Heitmann, Herron, Hoagland, Holloway, Inman, Kemp, Lewis, Light, McCloud, McCoy, McKinley, McLain, Mesloh, Murlin, Myers of Ashland, Nelson, Newell, Pattison, Pearson, Poe, Ramsay, Richards, Robb, Sherrick, Thompson of Lucas, Thompson of Montgomery, Van Meter, Weible and West—43.

Those who voted in the negative were—

Messrs Bay, Chapman of Meigs, Coler, Eidson, Harrison, Loomis, Marx, Morris, Neff, Scott, Stone, Varley and White—13.

So the motion was agreed to.

Mr. Scott offered the following resolution, which was adopted:

H. R. No. 83: WHEREAS, The per capita expenditures for current expenses of the insane in the Northern Lunatic Asylum has been considerably higher than in the other insane asylums of the State in the year commencing February 15, 1873, and ending February 15, 1874; therefore

Resolved, That the trustees of said asylum be directed to report to this House at the earliest possible day the reasons for this higher expenditure.

Mr. Chapman of Meigs submitted the following report:

The committee on Claims, to whom was referred the claim of George C. Wilson for remuneration for labor performed by said Wilson in indexing the House Journal for 1865, having had the same under consideration, report that while they do not acknowledge any *legal* obligation on the

part of the State to pay said claim, yet as said Wilson is in possession of the recorded Journal for that year, and has an undoubted property right in the same, and as the said Journal is of considerable value to the State, they would recommend that his claim be paid by the State, and accordingly beg leave to report by bill.

WM. T. CONKLIN, F. R. LOOMIS,
O. B. CHAPMAN, B. NEFF.
J. W. NELSON,

Following is the bill:

H. B. No. 278—By Mr. Chapman of Meigs, from the committee on Claims: For the relief of George C. Wilson.

Said bill was read the first time.

Mr. West offered the following resolution, which was adopted:

H. R. No. 84: *Resolved*, That the Board of Public Works is hereby requested to furnish this body with the following information:

1st. Who is in possession of that part of lot No. 4 in the city of Cincinnati, Hamilton county, the title to which is in the State, and by what authority such possession is held?

2d. What amount of soil or gravel has been removed from said lot within the two years last past, by whom and by what authority, and what sum of money, if any, the State has received for the same?

Mr. Ramsay, on leave, presented the petition of R. H. Ellison and 1,708 other citizens of Adams county, for the removal of the seat of justice from West Union, in Adams county, to Manchester, in said county.

Which was referred to the committee on New Counties and County Affairs.

On motion of Mr. Brunner, the House took a recess.

HALF-PAST TWO O'CLOCK P.M.

Leave of absence for an indefinite time was granted to Mr. Parker.

Mr. Loomis moved that the House reconsider the vote whereby H. B. No. 235 was indefinitely postponed.

Which was agreed to, and, on his motion, then referred to a select committee of one—Mr. Loomis.

The following bill was introduced, and read the first time:

H. B. No. 279—By Mr. McCloud: To authorize the Board of Public Works to construct a culvert across the National road, in Deer Creek township, Madison county.

Mr. McCloud moved to dispense with the constitutional rule, and that the bill be read a second time now by its title.

Which was disagreed to.

Mr. Loomis offered for adoption the following resolution:

H. J. R. No. 31: WHEREAS, Experience has proven the wisdom of having regular periods of adjournment, at stated intervals, during our sessions; and

WHEREAS, Legislation has undoubtedly been greatly retarded by granting unlimited leaves of absence to all members who chose to ask the same, thereby leaving our body frequently without a constitutional quorum for the transaction of business; and

WHEREAS, The people of Ohio have just cause for complaint at the great amount of absenteeism by the members of this body, thereby prolonging the session of this Assembly, and adding largely to the expense of the State government and to the burdens of taxation; therefore

Resolved by the General Assembly of the State of Ohio, That this Assembly will adjourn on Friday, March 13, until Tuesday, March 17, 1874, at half-past two o'clock P.M.; and that hereafter no leaves of absence will be granted, except in cases of sickness or positive necessity; and that in all cases such leaves shall be asked in writing, and read at the Clerk's desk.

Mr. Loomis moved to refer said resolution to a select committee of one.

Mr. Thompson of Lucas moved to refer the resolution to the committee on Finance.

On which motion the yeas and nays were demanded, ordered, and resulted—yeas 25, nays 28, as follows:

Those who voted in the affirmative were—

Messrs. Baker of Fairfield, Baker of Perry, Barrett, Baskin, Bell, Brooke, Case, Conklin, Haag, Heitmann, Hoagland, Inman, McCloud, Mesloh, Murlin, Neff, Nelson, Norton, Poe, Robb, Sherrick, Stone, Thompson of Lucas, Van Meter and Walker—25.

Those who voted in the negative were—

Messrs. Armstrong of Guernsey, Bay, Beach, Brunner, Carnahan, Chapman of Meigs, Coler, Eidson, Eshelman, Harrison, Herron, Holloway, Kemp, Light, Loomis, Marx, McLain, Myers of Ashland, Myers of Fayette, Newell, Ramsay, Richards, Scott, Thompson of Montgomery, Varley, West, White and Williams—28.

So the motion was disagreed to.

The question then recurred on the motion of Mr. Loomis to refer to a select committee of one.

Which was disagreed to.

Mr. Norton moved that the resolution be referred to the committee on Judiciary.

On which motion the yeas and nays were demanded, ordered, and resulted—yeas 15, nays 28, as follows:

Those who voted in the affirmative were—

Messrs. Baker of Fairfield, Bell, Brooke, Case, Carnahan, Conklin, Haag, Heitmann, Murlin, Neff, Nelson, Pearson, Ramsay, Thompson of Lucas and Thompson of Montgomery—15.

Those who voted in the negative were—

Messrs. Armstrong of Guernsey, Baskin, Bay, Beach, Brunner, Chapman of Meigs, Coler, Eidson, Eshelman, Harrison, Herron, Hoagland, Holloway, Inman, Loomis, Marx, McLain, Morris, Myers of Ashland, Myers of Fayette, Newell, Norton, Robb, Sherrick, Stone, Van Meter, West and Williams—28.

There not being a constitutional number voting, the motion was lost.

Mr. Brunner demanded a call of the House, and fifty-six members answered to their names.

The Sergeant-at-Arms was dispatched for absentees.

On motion of Mr. Myers of Ashland, further proceedings under the call were dispensed with.

The question then being on Mr. Norton's motion to refer said resolution to the committee on Judiciary, the yeas and nays were demanded, ordered, and resulted—yeas 25, nays 33, as follows:

Those who voted in the affirmative were—

Messrs. Baker of Fairfield, Baker of Perry, Barrett, Bell, Brooke, Case, Carnahan, Conklin, Haag, Heitmann, Herron, Kemp, McCloud, Murlin, Neff, Nelson, Norton, Pattison, Pearson, Richards, Thompson of Lucas, Thompson of Montgomery, Walker, West and White—25.

Those who voted in the negative were—

Messrs. Armstrong of Guernsey, Baskin, Bay, Beach, Brunner, Chapman of Meigs, Coler, Eidson, Eshelman, Ford, Harrison, Hill, Hoagland, Holloway, Inman, Lewis, Light, Loomis, Marx, McLain, Mesloh, Moorehead, Myers of Ashland, Myers of Fayette, Newell, Poe, Robb, Sherrick, Stone, Van Meter, Varley and Williams—33.

So the motion was disagreed to.

Mr. Holloway moved to amend the resolution as follows: "That so much of joint resolution No. — as prevents the General Assembly from adjourning only from day to day is hereby rescinded."

Mr. Case moved that the resolution and pending amendment be referred to the committee of the Whole.

On which motion the yeas and nays were demanded, ordered, and resulted—yeas 20, nays 31, as follows:

Those who voted in the affirmative were—

Messrs. Baker of Fairfield, Baker of Perry, Barnett, Brooke, Case, Haag, Heitmann, Hoagland, Light, McCloud, Murlin, Nelson, Pearson, Poe, Ramsay, Robb, Thompson of Lucas, Thompson of Montgomery, Weible and White—20.

Those who voted in the negative were—

Messrs. Barrett, Baskin, Bay, Beach, Bell, Brunner, Carnahan, Chapman of Meigs, Conklin, Eidson, Eshelman, Ford, Harrison, Herron, Holloway, Inman, Kemp, Lewis, Loomis, Marx, McCoy, McLain, Mesloh, Myers of Ashland, Myers of Fayette, Norton, Pattison, Richards, Sherrick, Stone, Van Meter and Varley—31.

So the motion was disagreed to.

Mr. Holloway's motion to amend was then disagreed to.

The question then being on the adoption of the resolution, the yeas and nays were ordered, and resulted—yeas 18, nays 38, as follows:

Those who voted in the affirmative were—

Messrs. Barrett, Bay, Carnahan, Chapman of Meigs, Coler, Eidson, Harrison, Holloway, Loomis, Marx, McLain, Neff, Norton, Ramsay, Richards, Thompson of Lucas, White and Williams—18.

Those who voted in the negative were—

Messrs. Armstrong of Guernsey, Baker of Fairfield, Baker of Perry, Barnett, Baskin, Beach, Bell, Brooke, Brunner, Case, Conklin, Eshelman, Faxon, Haag, Heitmann, Hoagland, Kemp, Lewis, Light, McCloud, McCoy, McKinley, Mesloh, Moorehad, Morris, Murlin, Newell, Pattison, Pearson, Poe, Robb, Scott, Sherrick, Stone, Thompson of Montgomery, Van Meter, Varley, Walker and West—38.

So the resolution was lost.

Mr. Armstrong of Guernsey, on leave, presented the petition of Crawford Hope and 18 other citizens of Jefferson township, Guernsey county, Ohio, praying for a new school district and a school-house built therein.

Which was referred to the committee on Common Schools and School Lands.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has concurred in the passage of H. B. No. 136, to amend section 27 of an act entitled an act for opening and regulating roads and highways, passed January 27, 1853.

Attest: S. K. DONAVIN, *Clerk.*

Mr. Richards submitted the following report:

The select committee of one to whom was referred H. B. No. 247, for

the protection of livery-stable keepers and others, having had the same under consideration, reports it back, and recommends its passage.

R. G. RICHARDS.

Said bill was then ordered to be engrossed, and read the third time Thursday next.

The following bill was introduced on leave, and read the first time:

H. B. No. 280—By Mr. Herron: For the consolidation of sub school districts Nos. 5 and 7, in Rumley township, Harrison county, into one sub-district, to be known as sub-school district No. 5.

Mr. Scott, on leave, presented the memorial of General Worthington, of Warren county, on the subject of crimes.

Referred to the committee on the Judiciary.

Mr. Coler offered for adoption the following resolution:

H. J. R. No. 32: *Resolved by the General Assembly of the State of Ohio*, That it is the opinion of this General Assembly that the Constitutional Convention should provide, as far as may be, for the election of all officers, State, county, township and municipal, on the same day—such day to be the day for the election of members of Congress.

Resolved, That the Governor be and he is hereby requested to forward a copy of these resolutions to each member of the Constitutional Convention.

On motion of Mr. Coler, said resolution was laid on the table and ordered to be printed.

Mr. Thompson of Montgomery submitted the following report:

The select committee of two (the members from Montgomery county) to whom was referred S. B. No. 61, to re-district cities of the second class, having had the same under consideration, report it back. Mr. Coler, my colleague, refused to join with me in the recommendation of its passage. I recommend that the bill be passed.

J. F. THOMPSON.

The Speaker refused to receive said bill and report; when, by the unanimous consent of the House, said bill was accepted, and the committee thereby discharged.

Mr. Coler then moved that the bill be laid on the table.

Which motion was disagreed to.

On motion of Mr. Haag, said bill was then set for third reading on Wednesday next.

The following bill was introduced on leave, and read the first time:

H. B. No. 281—By Mr. Richards: To create a special school district in Wayne and Smithfield townships, Jefferson county.

Mr. Pearson moved that the constitutional rule be dispensed with, and that H. B. No. 275 be read the second time by its title.

Which was disagreed to.

Mr. Pattison submitted the following report:

The joint committee on Enrollment have examined, and found correctly enrolled, the following joint resolution:

H. J. R. No. 22: Relative to the exchange of statutes.

J. M. PATTISON, M. C. LAWRENCE,
L. A. BRUNNER, A. M. BURNS,
B. NEFF, J. C. FISHER,
O. B. CHAPMAN, S. KNOX.

The Speaker then, in the presence of the House, signed said resolution.

On motion of Mr. Myers of Ashland, the House adjourned.

Attest: THOMAS COUGHLIN, *Clerk*.

TUESDAY, MARCH 10, 1874—10 o'clock A.M.

The House met pursuant to adjournment.

Prayer by the Rev. L. Taft, of the Methodist Episcopal Church.

The Journal was read and approved.

On motion of Mr. Ramsay, the rule was suspended, and S. B. No. 59 taken from the table and set for third reading to-morrow.

Mr. Lewis presented the petition of B. D. Downey and 50 other citizens of Tuscarawas county, asking for an amendment to the Adair liquor law, that a notice shall be served upon the party selling before suit can be instituted to recover damages.

Which was referred to the committee on Temperance.

Mr. Green presented the petition of Rev. J. A. Bailey and 395 other citizens of Shelby county, asking that no law be enacted, or amendment to any section of the law, that will in any manner impair or weaken any of the statutes now in force which provide against the evils resulting from the sale of intoxicating liquors in the State of Ohio, passed May 1, 1854, and especially sections 7 and 10, passed April 18, 1870, commonly called the Adair law.

Which was referred to the committee on Temperance.

Mr. Weible presented the petition of Samuel Collins and 50 other citizens of Van Wert county, asking for the passage of H. B. No. 203.

Which was referred to the committee on Common Schools and School Lands.

Mr. Huston presented the petition of H. Van Gundy and 50 other citizens of Hamilton county, asking appropriate legislation for furnishing school books for use in the common schools of this State.

Which was referred to the committee on Common Schools and School Lands.

Mr. Blake presented the petition of T. J. Newcomb, David King, and 116 other citizens of Portage county, for the passage of H. B. No. 35, known as Kemp's game bill.

Which was referred to the committee on Agriculture.

Mr. Beach presented the petition of Clark L. Bennett and 171 other citizens of Knox county, praying for the passage of H. B. No. 247, for the protection of livery-stable keepers.

Which was laid on the table.

Mr. Richards presented the petition of Alexander P. Bell and 69 other citizens of Jefferson county, for the creation of a special district for school purposes, comprising sub-divisions numbers five and six, in Wayne township; also, the north-west half of section thirty-six and the west half of section thirty, in Smithfield township.

Which was referred to the committee on Common Schools and School Lands.

Mr. Barrett presented the petition of Francis Harris and 365 other citizens of Green county, for the protection of livery-stable keepers and other bailees of property for hire.

Which was read and referred to the committee on Judiciary.

Mr. West presented the petition of Daniel Longshore and 344 other citizens of Clermont county, for the passage of a law making it unlawful to hunt on the premises of another without permission.

Which was referred to the committee on Agriculture.

Mr. Hardy presented the remonstrance of the board of education of Defiance, Defiance county, protesting against the passage of H. B. No. 203.

Which was referred to the committee of the Whole.

The following bill was read the second time:

S. B. No. 47: Supplementary to an act entitled an act to exempt specific articles of personal property from execution, passed April 16, 1873.

Referred to the committee of the whole House.

H. B. No. 7, to create a board of construction in certain cities, having been previously read the third time, was taken up, and the question then being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 29, nays 41, as follows:

Those who voted in the affirmative were—

Messrs. Bell, Brooke, Brunner, Cooley, Duncan, Eidson, Geghan, Gordon, Haag, Heitmann, Hill, Hodge, Huston, Marx, McCoy, McKinley, McLain, Mesloh, Miller, Morris, Murlin, Myers of Fayette, Neff, Nelson, Robb, Sater, Scott, Thompson of Lucas, and Varley—29.

Those who voted in the negative were—

Messrs. Archer, Armstrong of Guernsey, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Barrett, Baskin, Beach, Blake, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Conkright, Eshelman, Green, Hardy, Hatfield, Herron, Hoagland, Holloway, Inman, Kemp, Loomis, Martin, Moorehead, Munson, Newell, Norton, Pattison, Ramsay, Richards, Richmond, Sherrick, Stone, Thompson of Montgomery, Tryon, Van Meter, Vincent, Weible, White and Williams—41.

So the bill failed to pass.

Mr. Pattison moved a reconsideration of the vote whereby said bill was lost.

Which was disagreed to.

H. B. No. 181, to attach Pickaway county to the second sub-division of the fifth judicial district, was read the third time.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 53, nays 18, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Guernsey, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Bay, Beach, Bell, Boyce, Brooke, Brunner, Carnahan, Chapman of Meigs, Conklin, Conkright, Eidson, Eshelman, Green, Haag, Hardy, Harrison, Hatfield, Heitmann, Hill, Hoagland, Holt, Huston, Inman, Kemp, Lewis, McCoy, McKinley, Mesloh, Moorehead, Morris, Munson, Neff, Nelson, Pattison, Pearson, Robb, Sater, Sherrick, Stone, Thompson of Lucas, Thompson of Montgomery, Van Meter, Vincent, Walker, Weible, White and Speaker—53.

Those who voted in the negative were—

Messrs. Barrett, Baskin, Blake, Chapman of Cuyahoga, Cooley, Duncan, Ford, Herron, Hodge, Holloway, Martin, McLain, Myers of Fayette, Ramsay, Richards, Richmond, Tryon and Varley—18.

So the bill, not having received a two-thirds majority, was lost.

On motion of Mr. Hodge, the vote by which said bill was lost was reconsidered.

On motion of Mr. Heitmann, the further consideration of the bill was postponed until to-morrow.

Mr. Sherrick submitted the following report:

The committee on Revision have examined, and found correctly engrossed, House Bills Nos. 201, 103, 236, 210, 129, 179.

JOHNSON SHERRICK, JON. MORRIS,
WILLIAM M. MCKINLEY, GEO. W. BOYCE.
ORVIL BLAKE,

On motion of Mr. Pattison, the third reading of H. B. No. 53 was informally passed.

H. B. No. 9, to amend the 7th section of an act entitled an act to amend an act entitled an act prescribing the rate of taxation for county, bridge, road and township purposes, passed May 1, 1871, passed April 26, 1872, having been read the third time, and the question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 68, nays 11, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Guernsey, Baker of Coshocton, Baker of Perry, Barrett, Bay, Bell, Blake, Boyce, Brooke, Brunner, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Coler, Conklin, Duncan, Eidson, Eshelman, Gordon, Green, Haag, Hardy, Harrison, Hatfield, Heitmann, Herron, Hill, Hoagland, Hodge, Holloway, Holt, Huston, Inman, Kemp, Lewis, Loomis, Martin, McCloud, McCoy, McKinley, McLain, Mesloh, Moorehead, Morris, Munson, Murlin, Nelson, Newell, Pattison, Pearson, Ramsay, Richards, Richmond, Robb, Sater, Sherrick, Thompson of Lucas, Thompson of Montgomery, Tryon, Van Meter, Weible and White—63.

Those who voted in the negative were—

Messrs. Baker of Fairfield, Barnett, Baskin, Beach, Conkright, Ford, Scott, Stone, Varley, Vincent and West—11.

So the bill passed. The title was agreed to.

H. B. No. 137, to amend section 12 of an act entitled an act to establish the independent treasury of the State of Ohio, passed April 12, and took effect July 1, 1858, so as to make the duties of the judge of probate more definite and certain, was read the third time.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 53, nays 13, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Guernsey, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Bay, Beach, Bell, Blake, Boyce, Brooke, Brunner Case, Carnahan, Chapman of Meigs, Coler, Conklin, Conkright, Duncan, Eidson, Eshelman, Gordon, Heitmann, Hoagland, Hodge, Holloway, Holt, Huston, Inman, Lewis, Loomis, McCloud, McCoy, McKinley, McLain, Moorehead, Munson, Nelson, Pattison, Richards, Robb, Sherrick, Stone, Thompson of Lucas, Thompson of Montgomery, Van Meter, Varley, Vincent, Weible, West, White and Williams—53.

Those who voted in the negative were—

Messrs. Baskin, Chapman of Cuyahoga, Green, Hardy, Harrison, Herron, Martin, Mesloh, Murlin, Neff, Newell, Norton, Richmond and Sater —13.

So the bill passed. The title was agreed to.

On motion of Mr. Eidson, the House took a recess.

HALF-PAST TWO O'CLOCK P.M.

S. B. No. 12, to amend and extend the provisions of an act passed March 10, 1873, entitled an act supplemental to an act entitled an act to provide for the creation and regulation of incorporated companies in the State of Ohio, passed May 1, 1852, was read the third time.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 72, nays 3, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Guernsey, Baker of Coshocton, Baker of Fairfield, Barnett, Barrett, Beach, Bell, Blake, Boyce, Brooke, Brunner, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Cole, Coler, Cooley,

Conklin, Conkright, Duncan, Eidson, Eshelman, Green, Hardy, Harrison, Hatfield, Heitmann, Herron, Hill, Holloway, Holt, Inman, Kemp, Lewis, Light, Loomis, Martin, McCloud, McCoy, McKinley, McLain, Mesloh, Miller, Moorehead, Munson, Murlin, Myers of Fayette, Neff, Nelson, Newell, Norton, Pattison, Pearson, Poe, Ramsay, Richards, Robb, Sater, Scott, Sherrick, Stone, Thompson of Montgomery, Tryon, Van Meter, Varley, Vincent, Walker, Weible, West, White and Williams—72.

Messrs. Haag, Hoagland and Marx voted in the negative.

So the bill passed. The title was agreed to.

On motion of Mr. Sater, H. B. No. 53, heretofore informally passed, was taken up.

Mr. Pattison, on leave, presented the remonstrance of Saml. Kemper and six other citizen of St. Bernard, Hamilton county, against the passage of H. B. No. 53.

Which was referred to the committee on Turnpikes.

H. B. No. 53, authorizing the board of commissioners of Hamilton county, Ohio, to distribute the Cincinnati and Carthage road fund, and to repeal certain local and special acts therein named, was read the third time.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 26, nays 38, as follows:

Those who voted in the affirmative were—

Messrs. Baker of Coshocton, Beach, Bell, Cooley, Conklin, Gordon, Green, Haag, Hardy, Hatfield, Hill, Holt, Marx, McCoy, McKinley, Miller, Murlin, Nelson, Norton, Robb, Sater, Thompson of Montgomery, Tryon, Weible West and White—26.

Those who voted in the negative were—

Messrs. Armstrong of Guernsey, Baker of Fairfield, Baker of Perry, Barnett, Barrett, Bay, Blake, Boyce, Brooke, Carnahan, Chapman of Meigs, Cole, Coler, Conkright, Duncan, Eidson, Eshelman, Harrison, Heitmann, Herron, Hoagland, Inman, Kemp, Moorehead, Morris, Munson, Myers of Ashland, Myers of Fayette, Neff, Newell, Pattison, Ramsay, Richmond, Scott, Sherrick, Thompson of Lucas, Vincent and Walker—38.

So the bill failed to pass.

On motion of Mr. Haag, the third reading of H. B. No. 218 was postponed until Tuesday next.

On motion of Mr. Gordon, the third reading of H. B. No. 168 was postponed until to-morrow.

S. B. No. 4, to amend section 13 of the act of May 1, 1852, entitled an act to provide for the creation and regulation of incorporated companies in the State of Ohio, as amended April 25, 1873, was read the third time.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 59, nays 9, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Guernsey, Baker of Coshocton, Barnett, Baskin, Bay, Beatty, Blake, Brooke, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Cole, Coler, Conklin, Conkright, Eidson, Eshelman, Ford, Gordon, Green, Haag, Hardy, Harrison, Heitmann, Herron, Hoagland, Hodge, Holloway, Holt, Huston, Kemp, Loomis, Marx, McCoy, McLain, Miller, Moorehead, Munson, Murlin, Myers of Ashland, Myers of Fayette, Nelson, Pearson, Poe, Ramsay, Richards, Richmond, Robb, Scott, Stone, Thompson of Lucas, Thompson of Montgomery, Tryon, Van Meter, Varley, Vincent, Walker and Weible—59

Those who voted in the negative were—

Messrs. Baker of Perry, Beach, Hatfield, Morris, Norton, Sater, Sherrick, White and Williams—9.

So the bill passed. The title was agreed to.

H. B. No. 101, to authorize the commissioners of Allen county to levy a tax to purchase and improve fair grounds for the agricultural society of said county, was read the third time.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 71, nays 4, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Guernsey, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Barrett, Baskin, Bay, Beach, Bell, Blake, Boyce, Brooke, Brunner, Case, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Cole, Coler, Cooley, Conklin, Duncan, Eidson, Eshelman, Green, Haag, Hardy, Harrison, Hatfield, Heitmann, Hill, Hodge, Huston, Inman, Kemp, Light, Loomis, McCloud, McCoy, McKinley, McLain, Miller, Moorehead, Morris, Munson, Murlin, Myers of Ashland, Myers of Fayette, Neff, Nelson, Newell, Pattison, Pearson, Ramsay, Richards, Richmond, Robb, Sater, Sherrick, Stone, Thompson of Lucas, Thompson of Montgomery, Tryon, Van Meter, Varley, Walker, Weible, West and Williams—71.

Messrs. Holt, Marx, Vincent and White voted in the negative.

So the bill passed. The title was agreed to.

H. B. No. 162, to enable the common council of any city or incorporated village in this State having a population of twenty-five hundred inhabitants or more, through which any of the canals of this State may run, or for the board of county commissioners of the county in which such city or incorporated village may be situate, to construct and maintain for public use a swing-bridge or self-closing bridge on any highway where the same crosses such canal within the territory of said city or incorporated village, was read the third time.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 73, nays 2, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Armstrong of Guernsey, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barrett, Baskin, Bay, Beach, Bell, Blake, Boyce, Case, Carnahan, Chapman of Cuyahoga, Cole, Coler, Cooley, Conklin, Conkright, Duncan, Eidson, Eshelman, Gordon, Haag, Hardy, Harrison, Hatfield, Heitmann, Herron, Hill, Hoagland, Hodge, Holloway, Holt, Huston, Inman, Kemp, Light, Loomis, Marx, McCloud, McCoy, McKinley, McLain, Mesloh, Miller, Moorehead, Morris, Munson, Murlin, Myers of Ashland, Myers of Fayette, Nelson, Newell, Pattison, Ramsay, Richards, Richmond, Robb, Sater, Scott, Stone, Thompson of Lucas, Thompson of Montgomery, Tryon, Varley, Vincent, Weible, West and Williams—73.

Messrs. Barnett and Brooke voted in the negative.

So the bill passed.

Mr. Harrison moved to amend the title to said bill by striking out the word "for," and inserting the words "to enable."

Which was agreed to.

The title, as amended, was then agreed to.

H. B. No. 171, to amend section 78 of an act entitled an act to amend an act entitled an act for the assessment and taxation of property in this

State, and for levying taxes thereon according to its true value in money, passed April 5, 1859, as amended April 8, 1865, was read the third time.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 70, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Armstrong of Guernsey, Baker of Coshocton, Baker of Fairfield, Barnett, Barrett, Baskin, Bay, Beach, Bell, Blake, Brooke, Brunner, Case, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Cole, Coler, Cooley, Conklin, Conkright, Duncan, Eidson, Haag, Hardy, Harrison, Hatfield, Heitmann, Herron, Hill, Hoagland, Hodge, Holt, Huston, Inman, Kemp, Loomis, Marx, McCloud, McKinley, McLain, Mesloh, Miller, Moorehead, Munson, Myers of Ashland, Myers of Fayette, Neff, Nelson, Norton, Pattison, Pearson, Ramsay, Richards, Robb, Sater, Scott, Sherrick, Stone, Thompson of Lucas, Thompson of Montgomery, Tryon, Van Meter, Varley, Vincent, Walker, West and Williams—70.

So the bill passed. The title was agreed to.

On motion of Mr. Sherrick, the third reading of H. B. No. 186 was postponed until Wednesday of next week.

On motion of Mr. Kemp, the third reading of H. B. No. 35 was postponed until Thursday next.

On motion of Mr. Haag, the third reading of H. B. No. 129 was postponed until Tuesday next.

H. B. No. 207, to change the time for holding the second term of the court of common pleas for the year 1874 for the county of Ashland, was read the third time.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 69, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Armstrong of Guernsey, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Baskin, Bay, Beach, Bell, Blake, Boyce, Brooke, Brunner, Case, Carnahan, Cole, Coler, Conkright, Duncan, Eidson, Eshelman, Ford, Gordon, Haag, Hardy, Harrison, Hatfield, Heitmann, Herron, Hill, Hoagland, Hodge, Holt, Huston, Inman, Light, Loomis, McCloud, McCoy, McKinley, Mesloh, Moorehead, Munson, Murlin, Myers of Ashland, Myers of Fayette, Neff, Nelson, Newell, Pattison, Pearson, Poe, Ramsay, Richmond, Robb, Sater, Sherrick, Stone, Thompson of Lucas, Thompson of Montgomery, Tyron, Van Meter, Vincent, Weible, West, White and Williams—69.

So the bill passed. The title was agreed to.

Mr. Eidson moved to recommit S. B. No. 30, for the prosecution and punishment of certain offenses therein named, to a select committee of one, with instructions to amend as follows:

In section 1, line 4, after the word "park," add, "all kinds of live stock and poultry."

Mr. Harrison moved to amend the instructions as follows:

Strike out of line 10 the word "and," and insert "or."

Which was agreed to.

The question then recurring on the motion to commit to a select committee of one, with instructions to amend as amended by the House, it was agreed to.

Mr. Eidson was appointed said committee, who, on leave, reported the bill back, amended as instructed.

Mr. Ford moved to recommit said bill to a select of one, with instructions to amend as follows:

Strike out in line 6 all after the words "shall not" to the word "deliver," in line 7; also, in line 3, after the words "convert to," insert the words "his or."

Mr. Haag moved to amend to instructions by inserting after the word "to," in line 3, the words "his or."

Mr. Brunner moved to lay the bill and pending amendments on the table.

Which was disagreed to

Mr. Haag's amendment to the instructions was then agreed to.

The question then recurring on the motion of Mr. Ford to commit to a select committee of one, as amended, it was agreed to; and Mr. Ford was appointed said committee, who, on leave, reported the bill back, amended as instructed.

By unanimous consent, the House then agreed to reconsider the ordering of the bill to its third reading.

Mr. Marx moved to recommit the bill to the committee on Manufactures and Commerce.

Mr. McCoy moved to recommit said bill to the committee on Agriculture.

The motion to recommit to the committee on Manufactures and Commerce was disagreed to.

The bill was then recommitted to the committee on Agriculture.

H. B. No. 103, to amend section 338 of an act entitled an act to provide for the organization and government of municipal corporations, passed May 7, 1869, was read the third time.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 70, nays 3, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Armstrong of Guernsey, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barrett, Baskin, Bay, Beach, Bell, Blake, Boyce, Brooke, Brunner, Carnahan, Chapman of Cuyahoga, Cole, Coler, Conklin, Conkright, Duncan, Eidson, Eshelman, Gordon, Green, Haag, Hardy, Harrison, Hatfield, Heitmann, Herron, Hill, Holt, Inman, Kemp, Light, Loomis, Marx, McCoy, McKinley, McLain, Miller, Munson, Murlin, Myers of Ashland, Myers of Fayette, Neff, Nelson, Newell, Norton, Pattison, Pearson, Ramsay, Richmond, Robb, Sater, Scott, Sherrick, Stone, Thompson of Lucas, Thompson of Montgomery, Van Meter, Varley, Vincent, Walker, Weible, West, White and Williams—70.

Messrs. Hoagland, Moorehead and Poe voted in the negative.

So the bill passed. The title was agreed to.

H. B. No. 236, to exempt from execution or seizure any fund set apart by benevolent associations or societies for the families of deceased members, was read the third time.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 69, nays 5, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Armstrong of Guernsey, Baker of Coshocton, Baker of Perry, Barrett, Baskin, Bay, Beach, Blake, Boyce, Brooke, Brunner, Case, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Cole, Coler, Cooley, Conklin, Conkright, Duncan, Eidson, Eshelman, Ford, Gordon, Haag, Harrison, Hatfield, Heitmann, Hoagland, Holloway, Holt, Inman, Kemp, Light, Loomis, Marx, McKinley, McLain,

Miller, Moorehead, Morris, Munson, Myers of Ashland, Myers of Fayette, Neff, Nelson, Newell, Norton, Pattison, Pearson, Poe, Ramsay, Richards, Richmond, Robb, Stone, Thompson of Lucas, Thompson of Montgomery, Van Meter, Varley, Vincent, Walker, Weible, West, White and Williams —69.

Those who voted in the negative were—

Messrs. Barnett, Bell, Hardy, Murlin and Sherrick—5.

So the bill passed. The title was agreed to.

H. B. No. 179, to amend sections 57, 60 and 61 of an act entitled an act of the jurisdiction and procedure before justices of the peace, and of the duties of constables in civil courts, passed March 14, 1853, was read the third time.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 67, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Armstrong of Guernsey, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Barrett, Bay, Beach, Bell, Blake, Boyce, Brooke, Brunner, Carnahan, Cole, Coler, Cooley, Conklin, Conkright, Duncan, Eidson, Eshelman, Gordon, Green, Haag, Hardy, Harrison, Herron, Hill, Hoagland, Holloway, Holt, Inman, Kemp, Lewis, Light, Loomis, Marx, McKinley, McLain, Miller, Munson, Murlin, Myers of Ashland, Myers of Fayette, Neff, Nelson, Newell, Pattison, Pearson, Poe, Richards, Richmond, Robb, Stone, Thompson of Lucas, Tryon, Van Meter, Varley, Vincent, Walker, Weible, West, White and Williams—67.

So the bill passed. The title was agreed to.

S. B. No. 56, supplementary to an act entitled an act relating to ditches, passed April 12, 1871, was read the third time.

The question then being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 71, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Armstrong of Guernsey, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Baskin, Bay, Beach, Bell, Blake, Boyce, Brooke, Brunner, Carnahan, Cole, Coler, Cooley, Conklin, Conkright, Duncan, Eidson, Eshelman, Green, Haag, Hardy, Harrison, Hatfield, Heitmann, Herron, Hill, Hodge, Holloway, Holt, Inman, Kemp, Lewis, Light, Loomis, Marx, McCloud, McKinley, McLain, Mesloh, Moorehead, Morris, Munson, Murlin, Myers of Fayette, Neff, Newell, Norton, Pattison, Pearson, Ramsay, Richmond, Robb, Sater, Stone, Thompson of Lucas, Thompson of Montgomery, Tryon, Van Meter, Varley, Vincent, Walker, Weible, West, White and Williams—71.

So the bill passed. The title was agreed to.

H. B. No. 201, to authorize the trustees of Russell township, Geauga county, Ohio, to levy a tax for certain purposes therein named, was read the third time.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 55, nays 17, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Armstrong of Guernsey, Baker of Coshocton, Barrett, Bell, Blake, Brunner, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Cole, Coler, Cooley, Conklin, Duncan, Eidson, Eshelman, Ford, Gordon, Green, Hardy, Harrison, Herron, Hill, Hodge, Holloway, Holt, Light, Loomis, Marx, McCloud, McLain, Moorehead, Morris, Munson, Myers of Ashland, Myers of Fayette, Neff, Nelson,

Norton, Pattison, Pearson, Richards, Scott, Stone, Thompson of Lucas, Tryon, Van Meter, Varley, Vincent, Walker, Weible, White and Williams—55.

Those who voted in the negative were—

Messrs. Baker of Fairfield, Baker of Perry, Barnett, Baskin, Bay, Beach, Brooke, Case, Conkright, Haag, Heitmann, Inman, McKinley, Mesloh, Murlin, Sater and West—17.

So the bill passed. The title was agreed to.

S. B. No. 7, to authorize the trustees of Bedford township, Cuyahoga county, to levy a special tax and issue bonds for the purpose therein named, was read the third time.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 54, nays 13, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Armstrong of Guernsey, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barrett, Beatty, Bell, Blake, Brunner, Case, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Cole, Cooley, Duncan, Eidson, Eshelman, Gordon, Green, Hardy, Harrison, Heitmann, Herron, Hill, Hodge, Holt, Kemp, Lewis, Light, McCoy, Miller, Morris, Myers of Fayette, Neff, Nelson, Pattison, Pearson, Poe, Ramsay, Richards, Robb, Scott, Stone, Thompson of Lucas, Tryon, Van Meter, Varley, Walker, West, White and Williams—54.

Those who voted in the negative were—

Messrs. Baskin, Beach, Brooke, Hoagland, Inman, McCloud, McKinley, Moorehead, Munson, Murlin, Sater, Vincent and Weible—13.

So the bill passed. The title was agreed to.

H. B. No. 210, to amend section 1 of an act entitled an act to exempt specific articles of personal property from execution, passed April 16, 1873, was read the third time.

Mr. Richards moved to recommit said bill to a select committee of one, with instructions to amend as follows:

Strike out after the word "judgment," in line 32, "had for debt contracted for the support of the family of said debtor." Also, in line 33, the word "judgment."

Which was agreed to, and Mr. Richards appointed said committee.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has concurred in the passage of H. B. No. 166, authorizing the creation of an additional sub-school district in Madison township, Columbiana county.

Attest: S. K. DONAVIN, *Clerk.*

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has passed the following bills, in which the concurrence of the House of Representatives is requested:

S. B. No. 48—By Mr. Yeoman: For the protection of certain burial grounds.

S. B. No. 46—By Mr. Worthington: To amend an act entitled an act to amend section 540 of the municipal code (66 O. L., p. 241), as amended April 18, 1870 (67 O. L., p. 80), passed March 12, 1873. (70 O. L., p. 63.)

Attest: S. K. DONAVIN, *Clerk.*

Said bills were read the first time.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has concurred in the passage of H. B. No. 56, for the protection of buoys in the State of Ohio.

Attest: S. K. DONAVIN, *Clerk.*

MESSAGE FROM THE SENATE.

Mr. Speaker:

The following bills have been introduced in the Senate, and read the first time:

S. B. No. 119—By Mr. Burns: To amend an act entitled an act relating to wills, and the repeal of former acts relating thereto, passed May 3, 1852, and took effect June 1, 1852. (S. & C., p. 1615.)

S. B. No. 120—By Mr. Hudson: To amend sections 4 and 5 of an act entitled an act to provide for the creation and regulation of co-operative trade associations in the State of Ohio, passed April 13, 1867. (O. L., Vol. 64, pp. 145, 146 and 147.)

S. B. No. 121—By Mr. Hathaway: To amend section 6 of an act entitled an act to amend section 1 of an act passed May 16, 1848 [1868], entitled an act relating to the organizing of courts of justice, and their powers and duties, passed February 19, 1852, passed March 1, 1869. (O. L., Vol. 66, p. 17.)

S. B. No. 122—By Mr. Ferrall: To amend section 1 of an act entitled an act to regulate the compensation of sheriffs for keeping and providing for prisoners in jail, and to repeal certain acts therein named, passed March 13, 1866. (S. & S., p. 366.)

S. B. No. 123—By Mr. Worthington: Granting the consent of the General Assembly of the State of Ohio to the Government of the United States to acquire, by purchase or otherwise, lands within the State of Ohio needed for the improvement of the navigation of the Ohio river.

Attest: S. K DONAVIN, *Clerk.*

On motion of Mr. Munson, the House reconsidered the vote by which House Bills Nos. 218 and 129 were postponed until Tuesday next.

On motion of Mr. Pattison, said bills were ordered for third reading to-morrow.

The following bill was introduced, and read the first time:

H. B. No. 282—By Mr. Beatty: To change the time fixed for holding the district court for the year 1874 in Logan county.

On motion of Mr. Beatty, the constitutional rule requiring bills to be read on three several days was dispensed with, and the bill read the second time.

On motion of Mr. Beatty, said bill was then ordered to be engrossed, and read the third time to-morrow.

On motion of Mr. Norton, the House adjourned.

Attest: THOMAS COUGHLIN, *Clerk.*

WEDNESDAY, MARCH 11, 1874—10 o'clock A.M.

The House met pursuant to adjournment.

Prayer by the Rev. L. Taft, of the Methodist Episcopal Church.

The Journal was read and approved.

The following bill was introduced on leave, and read the first time:

H. B. No. 283—By Mr. Pattison: To amend an act entitled an act de-

defining the powers and duties of justices of the peace and constables in criminal cases, passed March 27, 1837, and took effect July 4, 1837.

Mr. Pattison moved to dispense with the constitutional rule, and that said bill be read the second time now by its title.

Which was disagreed to.

Mr. Brooke presented the petition of Dr. L. M. Whiting and forty-eight other citizens, tax-payers of Stark county, asking protection against malicious prosecutions for alleged malpractice.

Which was referred to the committee on Judiciary.

Mr. Lewis presented the petition of David King and fifty other citizens of Tuscarawas county, asking for the passage of Mr. Geghan's amendment to the Adair liquor law.

Which was referred to the committee on Temperance.

Mr. Ramsay presented the petition of James F. Campton and one hundred and twenty-one other citizens of Adams county, for the removal of the seat of justice of Adams county from the town of West Union to the town of Manchester, in said county.

Which was referred to the committee on New Counties and County Affairs.

Mr. Duncan presented the petition of J. H. Thatcher and 61 other citizens of Canaan township, Monroe county, praying that no law be enacted impairing the statutes now in force on the subject of temperance, especially sections 7 and 10 of what is commonly known as the Adair law.

Which was referred to the committee on Temperance.

Mr. Herron presented the petition of J. A. Morrow and 45 other citizens of Rumley township, Harrison county, for the consolidation of sub-school districts Nos. 5 and 7.

Which was referred to the committee on Common Schools and School Lands.

The following bills were read the second time:

S. B. No. 46: To amend an act entitled an act to amend section 540 of the municipal code, as amended April 18, 1870, passed March 12, 1873.

Referred to the committee on Municipal Corporations.

S. B. No. 48: For the protection of certain burial grounds.

Referred to the committee on Municipal Corporations.

H. B. No. 271: To provide for the removal of the seat of justice from West Union, in Adams county, Ohio, to Manchester, in said county.

Referred to the committee on New Counties and County Affairs.

H. B. No. 272: To amend section 1 of the act entitled an act to require county commissioners to construct approaches to bridges.

Referred to the committee on Roads and Highways.

H. B. No. 273: To amend section 20 of an act entitled an act prescribing the duties of county auditors, passed and took effect April 4, 1859, as amended January 16, 1873.

Referred to the committee on Finance.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The following bills have been introduced in the Senate and read the first time:

S. B. No. 124—By Mr. Waddle: To amend an act entitled an act to amend an act entitled an act to amend section 7 of an act further to prescribe the duties of county commissioners, passed April 8, 1856, as

amended February 26, 1857 (S. & S., p. 88), as further amended May 7, 1869. (O. L., Vol. 66, p. 350.)

S. B. No. 125—By Mr. Buell: To authorize the commissioners of Washington county, Ohio, to levy a tax for constructing a road.

S. B. No. 126—By Mr. Yeoman: To authorize certain incorporated companies to hold property and carry on business in any county in the State, and beyond the limits thereof, and also to take stock in other companies.

S. B. No. 127—By Mr. Buell: To amend section 6 of an act entitled an act to prevent cruelty to animals, passed April 4, 1871.

Attest: S. K. DONAVIN, *Clerk.*

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has concurred in the passage of the following bills:

H. B. No. 27: Supplementary to an act entitled an act supplementary to an act providing for the punishment of crimes, and of the several acts amendatory and supplementary thereto.

H. B. No. 138: To authorize the commissioners of Lake county to build a county infirmary, and to issue bonds therefor.

H. B. No. 167: Supplementary to the act entitled an act prescribing the duties of county auditors, passed and took effect April 4, 1859, as amended January 11, 1873.

The Senate has indefinitely postponed H. B. No. 133, to authorize the trustees of Lagrange township, Lorain county, to levy a tax for certain purposes therein named.

Attest: S. K. DONAVIN, *Clerk.*

Mr. McKinley submitted the following report:

The committee on Revision have examined, and found correctly engrossed, House Bills Nos. 214, 117, 282, 249, 245, 251, 188, 216, and the amendment to S. B. No. 49.

WM. M. MCKINLEY, GEO. W. BOYCE,
JOHNSON SHERRICK, JON. MORRIS.
ORVIL BLAKE,

On motion of Mr. Beatty, H. B. No. 282, to change the time fixed for holding the district court for the year 1874 in Logan county, was first taken up and read the third time.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 82, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Armstrong of Guernsey, Baker of Fairfield, Baker of Perry, Barnett, Barrett, Baskin, Bay, Beach, Beatty, Bell, Blake, Boyce, Brocke, Brunner, Case, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Coler, Cooley, Conklin, Conkright, Duncan, Eidson, Eshelman, Faxon, Ford, Geghan, Gowey, Green, Haag, Hardy, Harrison, Hatfield, Herron, Hoagland, Hodge, Holloway, Holt, Howland, Inman, Kemp, Lewis, Loomis, Marx, McCloud, McCoy, McKinley, McLain, Mesloh, Moorehead, Morris, Munson, Murlin, Myers of Ashland, Neff, Nelson, Norton, Pearson, Poe, Ramsay, Richards, Richmond, Robb, Sater, Scott, Sheppard, Sherrick, Stone, Thompson of Lucas, Thompson of Montgomery, Tryon, Van Meter, Varley, Vincent, Walker, Weible, West, White and Williams—82.

So the bill passed. The title was agreed to.

H. B. No. 181, to attach Pickaway county to the second sub-division of

the fifth judicial district, having been previously read the third time, and the question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 67, nays 10, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Guernsey, Baker of Fairfield, Baker of Perry, Barnett, Bay, Beach, Beatty, Bell, Blake, Boyce, Brooke, Brunner, Case, Carnahan, Chapman of Meigs, Cole, Coler, Conklin, Conkright, Eidson, Eshelman, Geghan, Green, Haag, Hardy, Hatfield, Herron, Hill, Hoagland, Hodge, Holloway, Holt, Howland, Inman, Kemp, Lewis, Light, Mack, Marx, McCloud, McCoy, McKinley, McLain, Mesloh, Miller, Moorehead, Myers of Ashland, Nelson, Norton, Pattison, Pearson, Poe, Ramsay, Robb, Sater, Sheppard, Stone, Thompson of Lucas, Thompson of Montgomery, Van Meter, Varley, Vincent, Walker, Weible, White and Speaker—67.

Those who voted in the negative were—

Messrs. Armstrong of Belmont, Barrett, Baskin, Chapman of Cuyahoga, Cooley, Duncan, Ford, Gowey, Richmond and West—10.

The bill, having failed to receive a two-thirds vote, was lost.

H. B. No. 218, to amend section 32 of an act for the relief of the poor, and to repeal certain acts therein named, was read the third time.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 30, nays 35, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Baker of Fairfield, Baker of Perry, Bay, Beach, Beatty, Bell, Blake, Carnahan, Chapman of Meigs, Conkright, Duncan, Green, Hardy, Hodge, Holt, Howland, Light, Loomis, McCloud, McCoy, McLain, Mesloh, Munson, Murlin, Myers of Ashland, Pattison, Ramsay, Richards, Tryon and Walker—30.

Those who voted in the negative were—

Messrs. Armstrong of Guernsey, Baker of Coshocton, Barnett, Baskin, Brooke, Brunner, Case, Chapman of Cuyahoga, Cole, Conklin, Eidson, Eshelman, Hatfield, Herron, Hill, Inman, Kemp, Mack, Marx, Martin, McKinley, Miller, Moorehead, Morris, Neff, Norton, Richmond, Scott, Sheppard, Sherrick, Stone, Thompson of Lucas, Varley, Weible and West—35.

So the bill failed to pass.

Mr. Conklin rose to a question of privilege, stating that on the passage of H. B. No. 181 the votes of Messrs. Heitmann, Murlin and Sherrick by mistake were not recorded.

Messrs. Heitmann, Murlin and Sherrick then severally stated that they had voted in the affirmative on the passage of said bill.

When, by unanimous consent of the House, their votes were ordered to be so recorded.

Thereupon said bill, having received a constitutional majority, was declared passed. The title was agreed to.

Mr. Brunner moved that S. B. No. 61 be now taken up and considered.

Which was agreed to.

S. B. No. 61, to re-district cities of the second class, was then read the third time.

Mr. Norton demanded a call of the House.

The roll was called, and 90 members answered to their names.

The absentees were Messrs. Chapman of Meigs, Cooley, Green, Grosvenor, Haven, Huston, Johnson, Myers of Fayette, Newell, Newton, Oren, Parker, Ray, Watson and West.

The Sergeant-at-Arms was dispatched for absentees.

Mr. Armstrong of Belmont moved that all further procceedings under the call be dispensed with.

On which motion the yeas and nays were ordered, and resulted—yeas 33, nays 50, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Barrett, Bay, Blake, Carnahan, Chapman of Cuyahoga, Coler, Conkright, Faxon, Ford, Gowey, Harrison, Herron, Hodge, Holt, Howland, Loomis, Mack, Martin, McLain, Morris, Munson, Neff, Ramsay, Richards, Richmond, Scott, Stone, Thompson of Lucas, Tryon, Vincent and Williams—33.

Those who voted in the negative were—

Messrs. Archer, Baker of Coshocton, Baker of Fairfield, Barnett, Baskin, Beach, Bell, Boyce, Brooke, Brunner, Case, Cole, Conklin, Eshelman, Geghan, Gordon, Green, Haag, Hardy, Hatfield, Heitmann, Hill, Hoagland, Holloway, Inman, Kemp, Lewis, Light, McCloud, McCoy, McKinley, Mesloh, Miller, Moorehead, Murlin, Myers of Ashland, Nelson, Norton, Pattison, Pearson, Poe, Robb, Sater, Sheppard, Sherrick, Thompson of Montgomery, Van Meter, Walker, Weible and White—50.

So the motion was disagreed to.

Leave of absence was asked and obtained on account of sickness for Mr. Myers of Fayette.

Mr. Gowey moved that all further proceedings under the call be dispensed with.

On which motion the yeas and nays were demanded, ordered, and resulted—yeas 26, nays 57, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Barrett, Bay, Blake, Carnahan, Chapman of Cuyahoga, Coler Cooley, Conkright, Duncan, Faxon, Ford, Gowey, Harrison, Herron, Holloway, Holt, Loomis, Mack, Marx Neff, Ramsay, Tryon, Vincent and Williams—26.

Those who voted in the negative were—

Messrs. Archer, Baker of Coshocton, Baker of Fairfield, Barnett, Baskin, Beach, Bell, Boyce, Brooke, Brunner, Case, Cole, Conklin, Eshelman, Geghan, Gordon, Green, Haag, Hardy, Hatfield, Heitmann, Hill, Hoagland, Hodge, Inman, Kemp, Lewis, Light, McCloud, McCoy, McKinley, McLain, Mesloh, Miller, Moorehead, Morris, Munson, Murlin, Myers of Ashland, Nelson, Norton, Pattison, Pearson, Poe, Richards, Richmond, Robb, Sater, Sheppard, Sherrick, Stone, Thompson of Montgomery, Tryon, Van Meter, Walker, Weible, West and White—57.

So the House refused to dispense with further proceedings under the call.

Messrs. West, Newell and Huston appeared within the bar of the House, and answered to the call.

Mr. Murlin moved that all further proceeding under the call be dispensed with.

On which motion the yeas and nays were demanded, ordered, and resulted—yeas 62, nays 24, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Guernsey, Baker of Coshocton, Baker of Fairfield, Barnett, Baskin, Beach, Bell, Boyce, Brunner, Case, Carnahan, Cole, Coler, Conklin, Eidson, Eshelman, Geghan, Gordon, Green, Haag, Hardy, Hatfield, Heitmann, Hill, Hoagland, Holt, Howland, Huston, Inman, Kemp, Lewis, Light, Marx, McCloud, McCoy, McKinley, Mesloh,

Miller, Moorehead, Morris, Murlin, Myers of Ashland, Neff, Nelson, Newell, Norton, Pattison, Pearson, Poe, Robb, Sater, Sheppard, Sherrick, Thompson of Lucas, Thompson of Montgomery, Van Meter, Varley, Vincent, Walker, Weible and White—62.

Those who voted in the negative were—

Messrs. Armstrong of Belmont, Barrett, Bay, Blake, Chapman of Cuyahoga, Chapman of Meigs, Cooley, Conkright, Duncan, Faxon, Gowey, Harrison, Herron, Hodge, Holloway, Loomis, Mack, Martin, McLain, Munson, Richards, Richmond, Stone and West—24.

So the motion was agreed to.

On motion of Mr. Hodge, the House took a recess.

HALF-PAST TWO O'CLOCK P.M.

The House reassembled pursuant to recess.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has adopted the following joint resolution:

S. J. R. No. 32—By Mr. Jones: Directing the employment of a clerk by a select committee.

Attest: S. K. DONAVIN, *Clerk.*

The question being on the adoption of said resolution, the yeas and nays were ordered, and resulted—yeas 62, nays 12, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Armstrong of Guernsey, Baker of Coshocton, Baker of Fairfield, Bay, Beach, Beatty, Bell, Blake, Boyce, Brooke, Brunner, Case, Carnahan, Chapman of Cuyahoga, Cole, Coler, Cooley, Conklin, Conkright, Duncan, Eshelman, Faxon, Ford, Geghan, Gowey, Gordon, Haag, Heitmann, Herron, Hodge, Holloway, Holt, Inman, Lewis, Loomis, Marx, Martin, McCoy, McKinley, McLain, Mesloh, Miller, Murlin, Myers of Ashland, Neff, Nelson, Norton, Poe, Ramsay, Richards, Richmond, Robb, Scott, Thompson of Montgomery, Tryon, Van Meter, Varley, Vincent, Weible and Williams—62.

Those who voted in the negative were—

Messrs. Baker of Perry, Barnett, Hoagland, Kemp, Light, Moorehead, Pattison, Sater, Sherrick, Stone, West and White—12.

So the resolution was adopted.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has adopted the following joint resolution, in which the concurrence of the House of Representatives is requested:

S. J. R. No. 30—By Mr. Andrews: Relative to the death of ex-President Fillmore.

Attest: S. K. DONAVIN, *Clerk.*

The question being on the adoption of said resolution, the yeas and nays were ordered, and resulted—yeas 77, nays 2, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Armstrong of Guernsey, Baker of Fairfield, Barnett, Barrett, Bay, Beach, Beatty, Bell, Boyce, Brooke, Brunner, Case, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Cole, Coler, Cooley, Conklin, Conkright, Duncan, Eidson, Eshelman, Faxon, Ford, Gowey, Gordon, Haag, Harrison, Heitmann, Herron, Hoagland, Hodge, Holloway, Holt, Huston, Inman, Kemp, Lewis, Light,

Loomis, Martin, McCloud, McCoy, McLain, Mesloh, Miller, Moorehead, Morris, Murlin, Myers of Ashland, Neff, Nelson, Pattison, Pearson, Poe, Ramsay, Richards, Richmond, Robb, Sater, Sheppard, Sherrick, Stone, Thompson of Lucas, Thompson of Montgomery, Tryon, Van Meter, Varley, Vincent, Weible, West, White, Williams and Speaker—77.

Messrs. Baker of Perry and Blake voted in the negative.

So the resolution was adopted.

Mr. Beach demanded a call of the House. Eighty-seven members answered to their names.

The absentees were Messrs. Baskin, Eidson, Green, Grosvenor, Hardy, Haven, Johnson, Mack, Mann, Munson, Myers of Fayette, Newton, Oren, Parker, Ray, Walker and Watson.

The Sergeant-at-Arms was dispatched for absentees.

Mr. Coler moved that all further proceedings under the call be dispensed with.

On which motion the yeas and nays were demanded, ordered, and resulted—yeas 25, nays 64, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Bay, Beatty, Blake, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Coler, Conkright, Duncan, Faxon, Hodge, Holloway, Holt, Marx, Martin, Neff, Richards, Richmond, Scott, Stone, Tryon, Varley and Vincent—25.

Those who voted in the negative were—

Messrs. Archer, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Barrett, Baskin, Beach, Bell, Boyce, Brooke, Brunner, Case, Cole, Cooley, Conklin, Eidson, Eshelman, Ford, Geghan, Gowey, Gordon, Green, Haag, Hardy, Harrison, Hatfield, Heitmann, Hill, Hoagland, Huston, Inman, Kemp, Lewis, Light, Mack, McCloud, McCoy, McKinley, Mesloh, Miller, Moorehead, Munson, Murlin, Myers of Ashland, Nelson, Newell, Norton, Pattison, Pearson, Poe, Ramsay, Robb, Sater, Sheppard, Sherrick, Thompson of Lucas, Thompson of Montgomery, Van Meter, Walker, Weible, West, White and Williams—64.

So the House refused to dispense with further proceedings under the call.

Mr. McCoy moved that all further proceedings under the call be dispensed with.

On which motion the yeas and nays were demanded, ordered, and resulted—yeas 63, nays 17, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Baskin, Beach, Bell, Boyce, Brooke, Brunner, Case, Carnahan, Cole, Coler, Cooley, Conklin, Eidson, Eshelman, Geghan, Gordon, Green, Haag, Hardy, Harrison, Hatfield, Heitmann, Hoagland, Holt, Huston, Inman, Kemp, Lewis, Light, Marx, McCloud, McCoy, McKinley, Mesloh, Miller, Moorehead, Murlin, Myers of Ashland, Nelson, Newell, Norton, Pattison, Pearson, Poe, Robb, Sater, Sheppard, Sherrick, Thompson of Lucas, Thompson of Montgomery, Van Meter, Varley, Walker, Weible, West, White and Williams—63.

Those who voted in the negative were—

Messrs. Armstrong of Guernsey, Bay, Blake, Chapman of Cuyahoga, Chapman of Meigs, Conkright, Faxon, Ford, Gowey, Loomis, Mack, Martin, McLain, Munson, Richmond, Stone and Tryon—17.

So the motion was agreed to.

When the House took a recess it had under consideration S. B. No. 61, the consideration of which was again resumed.

Mr. Coler moved to recommit said bill to a select committee of one, with instructions to amend as follows:

In section 1, line four, after the word "court," strike out all to the word "whose," in line six, and insert the following: "at the first regular annual election in said cities of the second class, after the passage of this act, there shall be elected from the qualified electors in each of said cities five freeholders." In line ten, after the word "city," strike out all to the end of the section, and insert the following: "within thirty days after they shall have been elected and qualified as above provided."

On which motion the yeas and nays were demanded, ordered, and resulted—yeas 40, nays 52, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Barrett, Bay, Beatty, Blake, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Coler, Cooley, Conkright, Duncan, Eidson, Faxon, Ford, Gowey, Harrison, Herron, Hodge, Holloway, Howland, Loomis, Mack, Marx, Martin, Morris, Munson, Neff, Ramsay, Richards, Richmond, Scott, Stone, Thompson of Lucas, Tryon, Varley, Vincent, West and Williams—40.

Those who voted in the negative were—

Messrs. Archer, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Baskin, Beach, Bell, Boyce, Brooke, Brunner, Case, Cole, Conklin, Eshelman, Geghan, Gordon, Green, Haag, Hardy, Hatfield, Heitmann, Hill, Hoagland, Huston, Inman, Kemp, Lewis, Light, McCloud, McCoy, McKinley, Mesloh, Miller, Moorehead, Murlin, Myers of Ashland, Nelson, Newell, Norton, Pattison, Pearson, Poe, Robb, Sater, Sheppard, Sherrick, Thompson of Montgomery, Van Meter, Walker, Weible and White—52.

So the motion was disagreed to.

Mr. Scott moved to recommit the bill to a select committee of one, with instructions to amend as follows: Strike out the word "Governor," in line four, section 1, and insert the words "said superior court."

On which motion the yeas and nays were demanded, ordered, and resulted—yeas 34, nays 52, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Barrett, Bay, Blake, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Cooley, Conkright, Duncan, Eidson, Faxon, Ford, Gowey, Harrison, Herron, Hodge, Holloway, Howland, Loomis, Mack, Martin, Morris, Munson, Neff, Ramsay, Richmond, Scott, Stone, Thompson of Lucas, Tryon, Varley and Williams—34.

Those who voted in the negative were—

Messrs. Archer, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Baskin, Beach, Bell, Brooke, Brunner, Case, Cole, Conklin, Eshelman, Geghan, Gordon, Green, Haag, Hardy, Hatfield, Heitmann, Hill, Huston, Inman, Kemp, Lewis, Light, Marx, McCloud, McCoy, McKinley, Mesloh, Miller, Moorehead, Murlin, Neff, Nelson, Newell, Norton, Pattison, Pearson, Poe, Robb, Sater, Sheppard, Sherrick, Thompson of Montgomery, Van Meter, Vincent, Walker, Weible, West and White—52.

So the motion was disagreed to.

The question then being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 49, nays 38, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Baskin, Beach, Bell, Brooke, Brunner, Case, Cole, Conklin

Eshelman, Geghan, Gordon, Green, Haag, Hardy, Hatfield, Heitmann, Hill, Huston, Inman, Kemp, Lewis, Light, McCloud, McKinley, Mesloh, Miller, Moorehead, Murlin, Myers of Ashland, Nelson, Newell, Norton, Pattison, Pearson, Poe, Robb, Sater, Sheppard, Sherrick, Thompson of Montgomery, Van Meter, Walker, Weible and White—49.

Those who voted in the negative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Barrett, Bay, Blake, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Coler, Cooley, Conkright, Duncan, Eidson, Ford, Gowey, Harrison, Herron, Hoagland, Hodge, Holloway, Howland, Loomis, Mack, Marx, Martin, McCoy, McLain, Munson, Neff, Ramsay, Richards, Richmond, Scott, Stone, Thompson of Lucas, Tryon, Varley and Williams—38.

So the bill, having failed to receive a constitutional majority, was lost.

Mr. McCoy moved to reconsider the vote whereby the bill was lost.

On which motion the yeas and nays were demanded, ordered, and resulted—yeas 53, nays 38, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Baskin, Beach, Bell, Boyce, Brooke, Brunner, Case, Cole, Conklin, Eshelman, Geghan, Gordon, Green, Haag, Hardy, Hatfield, Heitmann, Hill, Hoagland, Holt, Huston, Inman, Kemp, Lewis, Light, McCloud, McCoy, McKinley, Mesloh, Miller, Moorehead, Murlin, Myers of Ashland, Nelson, Newell, Norton, Pattison, Pearson, Poe, Robb, Sater, Sheppard, Sherrick, Thompson of Montgomery, Van Meter, Walker, West and White—53.

Those who voted in the negative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Barrett, Bay, Beatty, Blake, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Cooley, Conkright, Duncan, Eidson, Faxon, Ford, Gowey, Harrison, Herron, Hodge, Holloway, Howland, Loomis, Mack, Marx, Martin, McLain, Morris, Munson, Neff, Ramsay, Richards, Richmond, Scott, Stone, Thompson of Lucas, Tryon, Varley and Williams—38.

So the motion to reconsider was agreed to.

Mr. McCoy moved to recommit the bill to a select committee of one, with instructions to amend as follows:

Strike out in section 1, line 10, "12th day of March," and insert "20th day of March."

Mr. Scott moved to amend the instructions as follows:

Strike out "1874," in line 11, section 1, and insert the words "for the year 1876."

On which motion the yeas and nays were demanded, ordered, and resulted—yeas 35, nays 49, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Barrett, Bay, Beatty, Blake, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Cooley, Conkright, Duncan, Eidson, Faxon, Ford, Gowey, Harrison, Herron, Hodge, Howland, Loomis, Mack, Marx, Martin, Morris, Munson, Neff, Ramsay, Richmond, Scott, Stone, Thompson of Lucas, Tryon, Varley and Williams—35.

Those who voted in the negative were—

Messrs. Archer, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Baskin, Beach, Bell, Brunner, Case, Cole, Conklin, Eshelman, Geghan, Gordon, Green, Haag, Hardy, Hatfield, Heitmann, Hill, Hoagland, Huston, Inman, Kemp, Lewis, Light, McCloud, McCoy, McKinley,

Mesloh, Moorehead, Murlin, Myers of Ashland, Nelson, Norton, Pattison, Pearson, Poe, Robb, Sater, Sheppard, Sherrick, Thompson of Montgomery, Van Meter, Walker, Weible, West and White—49.

So the amendment to the instructions was disagreed to.

Mr. McCoy then moved to amend the instructions offered by him as follows:

In section 2, line 5, strike out the words "ten days," and insert "five days."

On which motion the yeas and nays were demanded, ordered, and resulted—yeas 51, nays 39, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Baker of Coshocton, Baker of Fairfield, Barnett, Baskin, Beach, Bell, Boyce, Brooke, Brunner, Case, Cole, Conklin, Eshelman, Geghan, Gordon, Green, Haag, Hardy, Hatfield, Heitmann, Hill, Hoagland, Huston, Inman, Kemp, Lewis, Light, McCloud, McCoy, McKinley, Mesloh, Miller, Moorehead, Murlin, Myers of Ashland, Nelson, Newell, Pattison, Pearson, Poe, Robb, Sater, Sheppard, Sherrick, Thompson of Montgomery, Van Meter, Walker, Weible, West and White—51.

Those who voted in the negative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Barrett, Bay, Beatty, Blake, Carnahan, Chapman of Meigs, Coler, Cooley, Conkright, Duncan, Eidson, Faxon, Ford, Gowey, Harrison, Herron, Hodge, Holloway, Howland, Loomis, Mack, Marx, Martin, McLain, Morris, Munson, Neff, Ramsay, Richards, Richmond, Scott, Stone, Thompson of Lucas, Tryon, Varley, Vincent and Williams—39.

So the motion was agreed to.

The question then recurring on Mr. McCoy's motion to commit, with instructions as amended by the House, the yeas and nays were demanded, ordered, and resulted—yeas 56, nays 27, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Baskin, Beach, Bell, Boyce, Brunner, Case, Cole, Conklin, Eshelman, Geghan, Gordon, Green, Haag, Hardy, Hatfield, Heitmann, Hill, Hoagland, Huston, Inman, Kemp, Lewis, Light, McCloud, McCoy, McKinley, Mesloh, Miller, Moorehead, Murlin, Myers of Ashland, Nelson, Newell, Norton, Pattison, Pearson, Poe, Robb, Sater, Sheppard, Sherrick, Stone, Thompson of Lucas, Thompson of Montgomery, Van Meter, Varley, Vincent, Walker, Weible, West and White—56.

Those who voted in the negative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Barrett, Bay, Blake, Carnahan, Chapman of Meigs, Conkright, Duncan, Eidson, Faxon, Gowey, Harrison, Herron, Loomis, Mack, Marx, Martin, McLain, Morris, Munson, Ramsay, Richards, Richmond, Scott, Tryon and Williams—27.

So the motion was agreed to, and the bill recommitted to a select committee of one, with instructions.

Mr. McCoy was appointed said committee.

H. B. No. 129, supplementary to an act entitled an act to provide for the creation and regulation of incorporated companies in the State of Ohio, passed May 1, 1852, was read the third time.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 78, nays 2, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Armstrong of Guernsey, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Barrett, Bay,

Beach, Beatty, Bell, Blake, Boyce, Brooke, Brunner, Case, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Cole, Coler, Cooley, Conkright, Duncan, Eidson, Eshelman, Faxon, Ford, Geghan, Gowey, Green, Haag, Hardy, Harrison, Hatfield, Heitman, Herron, Hill, Hoagland, Hodge, Holloway, Holt, Huston, Inman, Kemp, Lewis, Loomis, Mack, Martin, McCloud, McLain, Mesloh, Miller, Moorehead, Munson, Murlin, Myers of Ashland, Neff, Nelson, Newell, Pattison, Pearson, Ramsay, Richards, Richmond, Robb, Sater, Scott, Sheppard, Stone, Thompson of Lucas, Thompson of Montgomery, Tryon, Van Meter, Weible, White and Williams—78.

Messrs. Marx and West voted in the negative.

So the bill passed. The title was agreed to.

H. B. No. 193, to authorize the trustees of Champion township, Trumbull county, Ohio, to levy a tax to purchase a hearse, was read the third time.

Mr. Brooke moved to recommit said bill to a select committee of one, with instructions to amend as follows:

Strike out in line 1 of section 2 the words "or printed."

Also, strike out in line 2 of section 2 all after the word "no," and substitute the following: "with the names of the electors written upon their respective ballots, so that it be known which of the property owners of said township voted "yes;" and it is herein provided that the tax for the purpose above named be assessed upon the property of those voting "yes," and upon no others.

Mr. Loomis moved to amend the instructions as follows:

"That those persons who do not vote in favor of said tax shall put their names on the back of their tickets, and shall be forever debarred from the use of said hearse, at least during their natural life."

Which amendment was disagreed to.

The motion of Mr. Brooke to recommit the bill with instructions was then disagreed to.

The question then being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 69, nays 12, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Armstrong of Guernsey, Baker of Coshocton, Baker of Perry, Barnett, Barrett, Beach, Beatty, Bell, Blake, Brunner, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Cole, Coler, Cooley, Duncan, Eidson, Eshelman, Faxon, Ford, Geghan, Gowey, Gordon, Green, Hardy, Harrison, Hatfield, Hill, Hodge, Holloway, Holt, Huston, Inman, Kemp, Lewis, Light, Loomis, Mack, Marx, Martin, McCloud, McLain Mesloh, Miller, Morris, Munson, Murlin, Myers of Ashland, Neff, Nelson, Pattison, Ramsay, Richards, Richmond, Robb, Scott, Stone, Thompson of Lucas, Tryon, Van Meter, Varley, Vincent, Walker, Weible, White and Williams—69.

Those who voted in the negative were—

Messrs. Baker of Fairfield, Baskin, Brooke, Haag, Heitmann, Hoagland, Howland, McKinley, Poe, Sater, Sherrick, and Thompson of Montgomery—12.

So the bill passed. The title was agreed to.

Mr. Scott moved a suspension of the rule of the House for the purpose of introducing a resolution.

Which was agreed to.

Mr. Scott then offered for adoption the following resolution:

H. R. No. 85: WHEREAS, The telegraph announces the death of Hon. Charles Sumner, at 3 o'clock this afternoon; therefore

Resolved, That this House now adjourn in respect to the memory of this great man.

Mr. Howland moved to amend the resolution by striking out the word "adjourn," and insert the words "take a recess."

Which was disagreed to.

The resolution was then adopted by a unanimous vote, and the House adjourned.

Attest: THOMAS COUGHLIN, *Clerk*.

THURSDAY, MARCH 12, 1874—10 o'clock A.M.

The House met pursuant to adjournment.

Prayer by the Rev. L. Taft, of the M. E. Church.

The Journal was read and approved.

Mr. Eshelman moved that the House now take up H. B. No. 175.

Which was disagreed to.

Leave of absence for an indefinite time, on account of sickness, was granted Mr. Hardy.

Mr. Morris submitted the following report:

The committee on Revision have examined, and found correctly engrossed, House Bills Nos. 244, 247, 241, 217, 170, 184, and amendments to S. B. No. 59.

JON. MORRIS, ORVIL BLAKE,
JOHNSON SHERRICK, GEO. W. BOYCE.
WILLIAM M. MCKINLEY,

Mr. McLain presented the remonstrance of a mass convention of the citizens of Columbus against any change in the matter of city police commissioners, as proposed by H. B. No. 214.

Which was laid on the table.

Mr. Baskin presented the petition and memorial of the board of education of Hillsborough, Highland county, praying for the passage of H. B. No. 203.

Which was referred to the committee of the Whole.

Mr. Kemp presented the petition of G. B. Schup and 115 other citizens of Warren county, asking the passage of H. B. No. 35.

Which was referred to the committee on Agriculture.

Mr. McKinley presented the petition of G. W. Graham and 52 other citizens of Hancock county, asking the passage of H. B. No. 35, known as the Kemp bird bill.

Which was referred to the committee on Agriculture.

Mr. Oren presented the remonstrance of Thos. S. Jackson and 120 other citizens of Martinsville, Clinton county, against any amendment to the Adair liquor law whereby its force will be weakened in any way.

Which was referred to the committee on Temperance.

Mr. Hardy presented the petition of ex-Senator Hardesty and 49 other citizens of Paulding county, praying for the passage of H. B. No. 203.

Which was referred to the committee of the Whole.

Mr. Chapman of Cuyahoga moved to suspend the rule of the House for the purpose of introducing a resolution.

Which was disagreed to.

Mr. Scott moved a suspension of the rule, and that H. B. No. 175 be taken from the table for consideration now.

On which motion the yeas and nays were demanded, ordered, and resulted—yeas 40, nays 34, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Baker of Fairfield, Baker of Perry, Barnett, Bay, Beach, Boyce, Brooke, Case, Cole, Coler, Eshelman, Green, Hardy, Harrison, Haven, Hill, Hoagland, Inman, Lewis, Mann, McLain, Moorehead, Myers of Ashland, Nelson, Oren, Robb, Sater, Scott, Sheppard, Sherrick, Stone, Thompson of Montgomery, Van Meter, Varley, Vincent, Walker, Watson, Weible, West and White—40.

Those who voted in the negative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Barrett, Baskin, Bell, Blake, Brunner, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Cooley, Conkright, Eidson, Faxon, Herron, Holloway, Holt, Howland, Light, Loomis, Mack, Marx, McCloud, McCoy, McKinley, Mesloh, Morris, Murlin, Neff, Newell, Norton, Poe, Ray and Richards—34.

So the motion was disagreed to.

H. B. No. 92, to provide for the removal of the seat of justice of Wood county from the incorporated village of Bowling Green to that of Perrysburg, in said county, and to authorize the mayor and town council of the incorporated village of Perrysburg and the trustees of the township of Perrysburg, in said county, to donate and convey certain property in case of such removal, was read the third time.

On motion of Mr. Haag, the House took a recess.

HALF-PAST TWO O'CLOCK P.M.

The House resumed the consideration of H. B. No. 92, pending which,

On motion of Mr. Scott, the House, by unanimous consent, agreed to change the time granted Capt. Samuel Whiting, by resolution, to deliver his lecture in this hall from this evening until Tuesday evening next.

The House again resumed the consideration of H. B. No. 92, pending which, leave of absence for time indefinite was granted Messrs. Chapman of Meigs, Gowey, Martin, Myers of Fayette, and White.

Mr. Hardy demanded a call of the House. Eighty-nine members answered to their names.

The absentees were Messrs. Armstrong of Guernsey, Baker of Perry, Baskin, Chapman of Meigs, Gowey, Grosvenor, Hill, Howland, Johnson, Martin, Myers of Fayette, Nelson, Parker, Tryon and White.

The Sergeant-at-Arms was dispatched for absentees.

On motion of Mr. Sherrick, further proceedings under the call were dispensed with.

The question being "Shall H. B. No. 92 pass?" the yeas and nays were ordered, and resulted—yeas 46, nays 46, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Baker of Coshocton, Beach, Bell, Boyce, Chapman of Cuyahoga, Cole, Coler, Cooley, Eidson, Eshelman, Faxon, Ford, Geghan, Gordon, Green, Hagg, Hardy, Hatfield, Haven, Heitmann, Hill, Hodge, Holt, Huston, Kemp, Lewis, Light, Mann, Marx, McCloud, Mesloh, Murlin, Myers of Ashland, Newell, Newton, Poe, Ramsay, Richmond, Robb, Sater, Sherrick, Van Meter, Walker and West —46.

Those who voted in the negative were—

Messrs. Armstrong of Guernsey, Baker of Fairfield, Barnett, Barrett, Baskin, Bay, Beatty, Blake, Brooke, Brunner, Case, Carnahan, Conklin, Conkright, Duncan, Harrison, Herron, Hoagland, Holloway, Howland,

Inman, Mack, McCoy, McKinley, McLain, Miller, Moorehead, Morris, Munson, Neff, Norton, Oren, Pattison, Pearson, Ray, Richards, Sheppard, Stone, Thompson of Lucas, Thompson of Montgomery, Tryon, Varley, Vincent, Watson, Weible and Williams—46.

So the bill failed to pass.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has adopted the following joint resolution, in which the concurrence of the House of Representatives is requested:

S. J. R. No. 24—By Mr. Butterworth: Directing the delivery to the Agricultural and Mechanical College certain geological specimens in possession of the State Librarian.

Attest: S. K. DONAVIN, *Clerk.*

The question being on the adoption of said resolution, the yeas and nays were ordered, and resulted—yeas 69, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Armstrong of Guernsey, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Barrett, Bay, Beach, Beatty, Blake, Boyce, Brooke, Brunner, Carnahan, Chapman of Cuayhoga. Cole, Coler, Cooley, Conklin, Conkright, Duncan, Eidson, Eshelman, Faxon, Geghan, Green, Harrison, Haven. Hill, Hoagland, Hodge, Holt, Howland, Inman, Kemp, Lewis, Mack, Marx, McCloud, McCoy, McKinley, McLain, Mesloh, Miller, Morris, Munson, Myers of Ashland, Newton, Pearson, Ramsay, Ray, Richmond, Robb, Sater, Scott, Sherrick, Stone, Thompson of Lucas, Thompson of Montgomery, Tryon, Van Meter, Varley, Vincent, Walker, Weible, West and Williams—69.

So the resolution was adopted.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has passed the following bill, in which the concurrence of the House of Representatives is requested:

S. B. No. 88—By Mr. Laughlin: To amend section 21 of an act entitled an act to amend sections 18 and 21 of the act relating to roads and highways, passed March 9, 1868 (S. & S., p. 670), and amended April 8, 1868. (65 O. L., p. 78.)

Attest: S. K. DONAVIN, *Clerk.*

Said bill was read the first time.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has concurred in the passage of H. B. No. 282, to change the time fixed for holding the district court for the year 1874 in Logan county.

Attest: S. K. DONAVIN, *Clerk.*

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has passed the following bill, in which the concurrence of the House of Representatives is requested:

S. B. No. 58—By Mr. Rukenbrod: Supplementary to an act entitled an act for the establishment, support and regulation of children's homes in the several counties of the State, and repealing a certain act therein named, passed and took effect April 7, 1867. (S. & S., p. 724.)

Attest: S. K. DONAVIN, *Clerk.*

Said bill was read the first time.

Mr. Gordon moved that H. B. No. 168 be next taken up for third reading.

Which was agreed to.

H. B. No. 168, authorizing the commissioners of Hamilton county to build a new bridge and approaches on or below the present Union bridge site, was then read the third time.

Mr. Archer moved to recommit the bill to a select committee of one, with instructions to amend as follows:

In section 1 strike out all of lines 7, 8 and that portion of 9 ending in "bridge," to the word "for," and insert the following: "but if it shall appear from surveys hereafter to be made by the commissioners of said county that the same would be impracticable or inexpedient, then said commissioners shall proceed, without delay, to build a good, suitable and substantial bridge at such point within a mile and a half below the present site as they may determine."

Mr. Gordon rose to a point of order, claiming that said instructions as offered by Mr. Archer had already been stricken out of the bill.

The point of order was sustained by the House.

Mr. Haven moved to recommit the bill to a select committee of one, with instructions to amend as follows:

In section 2, line eight, after the word "year," insert "and that the bonds so issued, if sold, shall not be sold for less than their par value." Also, in same section, line ten, after the word "treasury," insert: "Provided furthermore, that the question of tax or no tax for the purposes herein stated shall be first submitted to the qualified voters of the county at the first election after the passage of this bill."

Which was disagreed to.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 73, nays 2, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Baker of Coshocton, Baker of Perry, Barrett, Baskin, Bay, Beach, Beatty, Bell, Blake, Boyce, Brunner, Case, Carnahan, Chapman of Cuyahoga, Cole, Cooley, Conkright, Duncan, Eidson, Eshelman, Faxon, Force, Geghan, Gordon, Green, Haag, Hardy, Harrison, Hatfield, Haven, Heitmann, Herron, Hodge, Holloway, Holt, Howland, Huston, Kemp, Lewis, Light, Mack, Mann, Marx, McCloud, McCoy, McKinley, McLain, Miller, Morris, Murlin, Myers of Ashland, Neff, Nelson, Newell, Newton, Pearson, Ramsay, Ray, Richards, Richmond, Sater, Scott, Sherrick, Stone, Thompson of Lucas, Thompson of Montgomery, Van Meter, Watson, Weible, West and Williams—73.

Messrs. Barnett and Moorehead voted in the negative.

So the bill passed.

Mr. Gordon moved to amend the title of the bill by striking out the words "or below."

Which was agreed to.

The title, as amended, was then agreed to.

Mr. McCoy moved a reconsideration of the vote whereby S. B. No. 4 was passed.

Which was agreed to; and on his motion a message was ordered to be sent to the Senate requesting the return of said bill.

On motion of Mr. Blake, the House adjourned.

Attest: THOMAS COUGHLIN, *Clerk.*

FRIDAY, MARCH 13, 1874—10 o'clock A.M.

The House met pursuant to adjournment.

Prayer by Rev. L. Taft.

The Journal was read and approved.

Mr. Loomis presented the petition of Halsey Hulburt and 10 other citizens of Medina county, asking for the enactment of a law making members of secret, oath-bound societies incompetent as jurors upon the challenge of parties at interest, etc; also, the same regarding witnesses.

Which was referred to the committee on Judiciary.

On motion of Messrs. Carnahan and Lewis, the rule of the House was suspended for the purpose of introducing the following bills, which were read the first time:

H. B. No. 284—By Mr. Carnahan: To authorize the trustees of Orange township, Carroll county, to join with the council of the incorporated village of Leesville, in said township, in the construction of a town hall for the joint use of said township and village, and to authorize private persons to join with them in the construction of such hall.

H. B. No. 285—By Mr. Lewis: To provide for a more economical management and better regulation of hospitals for the insane.

Mr. Oren presented the petition of Lorenzo Stubbs and 244 other citizens of Preble and Butler counties, asking the Legislature to enact a law prohibiting the importation, manufacture and sale of intoxicating liquors as a beverage in the State of Ohio, in any county, township, town, or ward of any city where the majority of the voters are in favor of such a law.

Which was referred to the committee on Temperance.

Mr. Gowey presented the petition of E. W. Stafford and 50 other citizens of Champaign county, asking for the passage of substitute for H. B. No. 55, fixing the salaries of county officers.

Which was referred to the committee on Fees and Salaries.

Mr. Holloway presented the petition of John Clark and 122 other citizens of Columbiana county, asking for the passage of H. B. No. 203.

Which was referred to the committee of the Whole.

Mr. Holloway presented the petition of R. H. Carpenter and 228 other voters of Solon township, Columbiana county, asking for a division of said township into two election precincts.

Which was referred to the committee on New Counties and County Affairs.

Mr. Johnson presented the petition of O. H. Glidden and 21 other citizens of Scioto county, for the repeal of section 2 of an act passed April 13, 1865, entitled an act to restrain from running at large certain animals therein named.

Which was referred to the committee on Agriculture.

Mr. Ray presented the petition of John James and 167 other citizens of Pike county, for a special law applicable to said county, authorizing the commissioners thereof to issue bonds, not exceeding $25,000 in any one year, for the purpose of constructing free turnpikes in said county.

Which was referred to the committee on Roads and Highways.

Mr. Haven presented the remonstrance of Miles Greenwood and 3,263 other citizens of Ohio, against any modification of the Adair liquor law.

Which was referred to the committee on Temperance.

Mr. Heitmann presented the remonstrance of Wm. S. Ide and 168 other citizens of Franklin county, remonstrating against the passage of H. B. No. 214.

Which was read at the Clerk's desk and laid on the table.

Indefinite leave of absence was granted Mr. Brooke on account of sickness.

Mr. Thompson of Lucas moved a reconsideration of the vote whereby H. B. No. 92 was lost.

On which motion the yeas and nays were demanded, ordered, and resulted—yeas 57, nays 25, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Baker of Coshocton, Beach, Bell, Blake, Boyce, Case, Chapman of Cuyahoga, Cole, Duncan, Eidson, Eshelman, Faxon, Ford, Geghan, Gowey, Gordon, Green, Haag, Hatfield, Haven, Heitmann, Hodge, Holt, Huston, Inman, Johnson, Kemp, Light, Loomis, Mack, Mann, Marx, McCloud, McLain, Mesloh, Morris, Munson, Murlin, Neff, Nelson, Newell, Newton, Poe, Ramsay, Richards, Richmond, Robb, Sater, Scott, Thompson of Lucas, Van Meter, Varley, Walker, West and Williams—57.

Those who voted in the negative were—

Messrs. Armstrong of Guernsey, Baker of Fairfield, Barnett, Barrett, Baskin, Bay, Beatty, Carnahan, Chapman of Meigs, Conklin, Conkright, Harrison, Herron, Hoagland, Holloway, Howland, Martin, McCoy, McKinley, Moorehead, Oren, Sheppard, Stone, Thompson of Montgomery, and Vincent—25.

So the motion was agreed to.

On motion of Mr. Haag, the further consideration of said bill was postponed until Wednesday next.

On motion of Mr. Thompson of Lucas, the committee of the Whole was discharged from further consideration of S. B. No. 47, and the same was referred to the committee on the Judiciary.

Mr. Bell presented the petition of W. D. Rutlidge and twenty five other citizens of Franklin township, Licking county, asking for the establishing of a sub-school district in said township.

Which was referred to the committee on Common Schools and School Lands.

Mr. McCloud presented the petition of Hon. William Morrow Beach and thirty-eight other citizens of Madison county, praying for the passage of H. B. No. 279.

Which was read at the Clerk's desk, and referred to the committee on Public Works.

Mr. Watson presented the petition of James R. Buchanan and seventy-one other citizens of Monroe county, asking the enactment of a law making it a misdemeanor, punishable by fine and imprisonment, for any bailee or hire of property to kill, injure or destroy the same by willful abuse, cruel or immoderate usage, or gross negligence.

Which was read, and laid on the table.

Leave of absence was granted as follows:

To Messrs. Cooley and Lewis, for an indefinite time; to Mr. Haag, until Tuesday next; and to Mr. Murlin, until Monday next.

The following bills were read the second time:

S. B. No. 58: Supplementary to an act entitled an act for the establishment, support and regulation of children's homes in the several counties of the State, and repealing a certain act therein named, passed and took effect April 7, 1867.

Referred to the committee on Reform Schools.

S. B. No. 88: To amend section 21 of an act entitled an act to amend

sections 18 and 21 of the act relating to roads and highways, passed March 9, 1868, and amended April 8, 1868.

Referred to the committee on Roads and Highways.

H. B. No. 275: To authorize the county commissioners of any county to locate and improve roads in certain specified cases.

Referred to the committee on Turnpikes.

H. B. No. 277: To amend an act entitled an act to amend section 1 of an act regulating the fees of sheriffs in civil and criminal cases, passed March 13, 1836, and took effect June 1, 1836, and amended April 13, 1865.

Referred to the committee on Fees and Salaries.

On motion of Mr. Hodge, the committee on Municipal Corporations was discharged from further consideration of H. B. No. 252, and the same was referred to the committee on the Judiciary.

On motion of Mr. Baker of Perry, the House took up for consideration H. B. No. 175, and the amendments reported by the committee of the Whole.

Mr. Eshelman moved to amend the amendments by striking out in section 1, line 95, the word "six," and inserting the word "nine."

Which was agreed to.

Mr. Eshelman moved to insert in section 2, line 21, after the word "hundred," the words "and seventy-five."

On which motion the yeas and nays were demanded, ordered, and resulted—yeas 42, nays 32, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Baker of Coshocton, Baker of Perry, Barrett, Bay, Beatty, Blake, Chapman of Cuyahoga, Chapman of Meigs, Duncan, Eshelman, Faxon, Ford, Gowey, Harrison, Hatfield, Hill, Hodge, Holloway, Howland, Johnson, Loomis, Mack, Mann, Marx, Martin, McLain, Morris, Newton, Oren, Ramsay, Ray, Richards, Richmond, Robb, Scott, Stone, Thompson of Lucas, Tryon, Varley and Williams—42.

Those who voted in the negative were—

Messrs. Archer, Baker of Fairfield, Barnett, Beach, Bell, Boyce, Brunner, Carnahan, Conkright, Geghan, Haven, Heitmann, Hoagland, Holt, Huston, Inman, Kemp, Light, McCloud, McCoy, McKinley, Moorehead, Nelson, Newell, Norton, Sater, Sheppard, Thompson of Montgomery, Van Meter, Vincent, Weible and West—32.

So the motion was agreed to.

On motion of Mr. Eshelman, the House took a recess.

HALF-PAST TWO O'CLOCK P.M.

The House resumed the consideration of the amendments offered by the committee of the Whole to H. B. No. 175.

On motion of Mr. Eshelman, in section 2, line 103, the word "seven" was stricken out, and the blank filled with the word "eight."

On motion of Mr. McCoy, the word "twenty" was stricken out of line 27, in section 1, and "fifteen" inserted.

All the amendments proposed by the committee of the Whole House, save those relating to the gas-works for the Northern Lunatic Asylum, were then agreed to.

The question then being on agreeing to the amendments of the committee of the Whole, as amended by the House—being lines 27, 28 and 29, in section 2—the yeas and nays were demanded, ordered, and resulted—yeas 46, nays 30, as follows:

Those who voted in the affirmative were—

Messrs. Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Barrett, Bay, Beach, Bell, Blake, Brunner, Case, Carnahan, Chapman of Meigs, Cole, Coler, Conklin, Conkright, Geghan, Gordon, Harrison, Haven, Heitmann, Herron, Hoagland, Holloway, Holt, Huston, Kemp, Light, Mann, McCoy, McKinley, Miller, Moorehead, Nelson, Norton, Pearson, Ray, Robb, Sater, Sheppard, Thompson of Montgomery, Van Meter, Weible, West and Williams—46.

Those who voted in the negative were—

Messrs. Archer, Armstrong of Belmont, Boyce, Chapman of Cuyahoga, Eshelman. Faxon, Ford, Gowey, Green, Hill, Hodge, Howland, Inman, Johnson, Loomis, Mack, Marx, Martin, McCloud, McLain, Morris, Munson, Newton, Ramsay, Scott, Stone, Thompson of Lucas, Tryon, Varley and Walker—30.

So the amendments were agreed to.

Mr. Eshelman moved to reconsider the vote whereby the words "and seventy-five" were inserted in line 21 of section 2.

On which motion the yeas and nays were demanded, ordered, and resulted—yeas 45, nays 32, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Beach, Bell, Boyce, Brunner, Case, Cole, Conklin, Conkright, Eshelman. Geghan, Gordon, Green, Haven, Heitmann, Hill, Hoagland, Huston, Inman, Johnson, Kemp, Light, McCloud, McCoy, McKinley, Miller, Moorehead, Morris, Nelson, Newton, Norton, Pearson, Poe, Robb, Sater, Sheppard, Thompson of Montgomery, Walker, Weible and West —45.

Those who voted in the negative were—

Messrs. Armstrong of Belmont, Barrett, Bay, Beatty, Blake, Chapman of Cuyahoga, Chapman of Meigs, Coler, Faxon, Ford, Harrison, Herron, Hodge, Holloway, Holt, Howland, Loomis, Mack, Mann, Martin, McLain, Munson, Ramsay, Ray, Richards, Richmond, Scott, Thompson of Lucas, Tryon, Varley, Vincent and Williams—32.

So the motion was agreed to.

Mr. Eshelman then moved to strike out of line twenty-one, section 2, the word "seventy-five," and insert the word "thirty-four."

On which motion the yeas and nays were demanded, ordered, and resulted—yeas 44, nays 33, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Beach, Bell, Boyce, Brunner, Carnahan, Cole, Conklin, Eidson, Eshelman, Geghan, Green, Heitmann, Hill, Hoagland, Holt, Howland, Huston, Inman, Kemp, Light, McCloud, McCoy, McKinley, Miller, Moorehead, Nelson, Norton, Pearson, Robb, Sater, Sheppard, Thompson of Lucas, Thompson of Montgomery, Van Meter, Vincent, Walker, Weible, West and White—44.

Those who voted in the negative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Barrett, Bay, Beatty, Blake, Chapman of Meigs, Conkright, Faxon, Ford, Gowey, Harrison, Haven, Hodge, Holloway, Johnson, Loomis, Mack, Mann, Marx, Martin, McLain, Munson, Newton, Oren, Ramsay, Richards, Richmond, Scott, Stone, Tryon, Varley and Williams—33.

The amendment was agreed to.

On motion of Mr. Eshelman, the following amendments were agreed to:

Section 2, line twenty-four, strike out " twelve," and insert " thirteen."

Same section, line twenty-six, strike out " two," and insert " nine."

In same section, line thirty, strike out " twelve," and insert " fourteen."

Mr. Scott offered the following amendment:

Add after line thirty, section 2, " The appropriation herein made for furnishing said asylum shall be expended by the board of trustees of the asylum. No contract shall be made or article purchased for the furnishing of the asylum without the concurrent direction of a majority of the board, entered on the minutes of the proceedings of the board. The Auditor of State shall not draw his warrant on the Treasurer of State for any part of this appropriation, except on the presentation, as vouchers, of itemized bills made out and properly signed by the person or persons furnishing the articles so contracted for or purchased, and having indorsed thereon the certificate of two members of the board, countersigned by the superintendent, that the items specified in the bills have been delivered, and are in all particulars in accordance with the terms of the contract or conditions of purchase."

Said amendment was agreed to.

Mr. Scott offered the following amendment: Add after line 8, section 2, the words " for repairs, five thousand dollars."

On which motion the yeas and nays were demanded, ordered, and resulted—yeas 37, nays 43, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Barrett, Bay, Blake, Chapman of Cuyahoga, Chapman of Meigs, Conkright, Faxon, Ford, Geghan, Gowey, Gordon, Harrison, Haven, Hodge, Holloway, Howland, Johnson, Loomis, Mack, Mann, Marx, Martin, McLain, Miller, Morris, Newton, Oren, Ramsay, Ray, Richards, Richmond, Scott, Stone, Thompson of Lucas, and Williams—37.

Those who voted in the negative were—

Messrs. Archer, Baker of Fairfield, Baker of Perry, Barnett, Beach, Bell, Boyce, Brunner, Case, Carnahan, Cole, Coler, Conklin, Green, Heitmann, Hill, Hoagland, Huston, Inman, Kemp, Light, McCloud, McCoy, McKinley, Moorehead, Munson, Norton, Pearson, Poe, Robb, Sater, Sheppard, Thompson of Montgomery, Tryon, Van Meter, Varley, Vincent, Walker, Weible, West and White—43.

So the motion was disagreed to.

Mr. Scott offered the following amendment: Add after line thirty-seven, section 2, the words " Central Lunatic Asylum—For continuing the work on the Central Lunatic Asylum, as per contracts, one hundred and twenty-five thousand dollars."

On which motion the yeas and nays were demanded, ordered, and resulted—yeas 38, nays 37, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Barrett, Beatty, Blake, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Conkright, Faxon, Gowey, Harrison, Haven, Herron, Hodge, Holloway, Howland, Johnson, Loomis, Mack, Mann, Marx, Martin, McLain, Morris, Munson, Newton, Oren, Ramsay, Ray, Richards, Scott, Stone, Thompson of Lucas, Tryon, Varley, Williams and Speaker—38.

Those who voted in the negative were—

Messrs. Archer, Baker of Coshocton, Baker Fairfield, Barnett, Beach, Bell, Boyce, Brunner, Cole, Conklin, Eidson, Geghan, Gordon, Green,

Heitmann, Hill, Hoagland, Huston, Inman, Kemp, Light, McCloud, McKinley, Miller, Moorehead, Nelson, Norton, Pearson, Poe, Robb, Sater, Thompson of Montgomery, Van Meter, Vincent, Weible, West and White —37.

So the amendment was agreed to.

Mr. Scott offered the following amendment: "And the trustees shall have power, so far as is consistent with the rights of the contractors under the Constitution of the State and the United States, with the written advice and consent of the Governor and Attorney-General, in case of the failure of any contractor to perform his contract, to cancel the same and forfeit all arrearages unpaid thereon, and to make new contracts for the work and material, or either of them, required by said contract so canceled, not exceeding the price fixed by the contract canceled and the arrearages thereon."

On which motion the yeas and nays were demanded, ordered, and resulted—yeas 48, nays 2, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Baker of Coshocton, Baker of Fairfield, Barrett, Bay, Blake, Chapman of Cuyahoga, Chapman of Meigs, Coler, Conkright, Faxon, Ford, Gowey, Gordon, Harrison, Haven, Heitmann, Herron, Hodge, Holloway, Holt, Howland, Johnson, Loomis, Mack, Mann, Marx, Martin, McLain, Morris, Munson, Newton, Oren, Ramsay, Ray, Richards, Robb, Scott, Sheppard, Stone, Thompson of Lucas, Thompson of Montgomery, Tryon, Varley, Vincent and Williams—48.

Those who voted in the negative were—

Messrs. Archer, Beach, Brunner, Cole, Conklin, Eshelman, Geghan, Green, Huston, Inman, Kemp, Light, McCloud, McCoy, Miller, Moorehead, Norton, Poe, Sater, Weible, West and White—22.

So the amendment was agreed to.

Mr. West moved to amend the bill by inserting between lines 125 and 126 of section 1, as follows:

"To pay for damages growing out of the Morgan raid through Ohio in 1863, in accordance with the report of the commissioners of Morgan raid claims, appointed under the act of the General Assembly of the State of Ohio, passed March 30, 1864, and a report of commissioners appointed under an act of the General Assembly of Ohio, passed May 5, 1868, as follows, to wit: For damages to property taken, injured and destroyed by the Union forces under command of United States officers, one hundred and thirty thousand dollars.

"The official report of the said commissioners aforesaid, heretofore filed with the Governor of this State, shall be conclusive of the several sums allowed to individuals, and of the parties to whom the same may be due, and the Governor is hereby authorized and required to deliver to the Auditor of State a certified abstract of the claims allowed by said commissioners as appears by said reports, and the Auditor of State shall draw his warrant on the Treasurer of State in favor of such claimant, for his, her or their claim, and deliver the same, on demand, to such claimant, or his, her or their legal representative; provided, that nothing in this act contained shall require or authorize said Auditor to draw and deliver his warrant to such claimants until such claimant or claimants, or his, her or their legal representatives, shall make and file with said Auditor an affidavit to the effect that neither such claimant or claimants, his, her or their legal representatives or assigns, have ever received any compen-

sation whatever, either directly or indirectly, from the United States Government, nor from any other source, for and on account of such claim."

On which motion the yeas and nays were demanded, ordered, and resulted—yeas 26, nays 46, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Guernsey, Baker of Coshocton, Baker of Perry, Barrett, Bay, Beatty, Bell, Boyce, Chapman of Meigs, Geghan, Harrison, Haven, Heitmann, Herron, Huston, Johnson, McCoy, Newton, Ramsay, Ray, Richards, Sater, Van Meter, West and White—26.

Those who voted in the negative were—

Messrs. Baker of Fairfield, Barnett, Beach, Blake, Brunner, Chapman of Cuyahoga, Cole, Coler, Conklin, Conkright, Eidson, Eshelman, Ford, Gowey, Green, Hill, Hoagland, Hodge, Holt, Howland, Inman, Loomis, Mack, Mann, Marx, Martin, McCloud, McCoy, McKinley, McLain, Morris, Munson, Nelson, Norton, Pearson, Poe, Robb, Scott, Stone, Thompson of Lucas, Thompson of Montgomery, Varley and Weible—42.

So the amendment was disagreed to.

Mr. Eshelman offered the following amendment:

"For the transfer of 203 patients to the Athens Lunatic Asylum; for transfer of 13 patients to the Northern Ohio Lunatic Asylum; for a transfer of 7 patients yet to be made to the Toledo Asylum, and for the transfer of 5 more patients yet to be made to the Athens Asylum, eight hundred and sixty-seven dollars and sixty cents."

Which was agreed to.

Said bill was then ordered to be engrossed, and read the third time Wednesday next.

Mr. Brunner submitted the following report:

The joint committee on Enrollment have examined, and found correctly enrolled, the following bills and joint resolutions:

S. J. R. No. 29: Directing the printing and distribution of the laws of the 61st General Assembly.

S. J. R. No. 30: Relative to the death of ex President Fillmore.

S. J. R. No. 32: Directing the employment of a clerk by a select committee.

S. B. No. 7: To authorize the trustees of Bedford township, Cuyahoga county, to levy a special tax and issue bonds for the purpose therein named.

S. B. No. 26: Authorizing the trustees of Jefferson township, Muskingum county, to appropriate certain money belonging to said township, on Main street, in the village of Dresden.

S. B. No. 51: Supplemental to the code of criminal procedure for the State of Ohio, to provide for the mode of taking bail in criminal cases and the justification of sureties therein.

S. B. No. 55: To amend the 11th section of an act entitled an act regulating the mode of administering assignments in trust for the benefit of creditors, passed and took effect April 6, 1859.

S. B. No. 56: Supplementary to an act entitled an act relating to ditches, passed April 12, 1871.

J. C. FISHER, L. A. BRUNNER,
M. C. LAWRENCE, H. M. CHAPMAN,
S. KNOX, O. B. CHAPMAN.

The Speaker then, in the presence of the House, signed said bills and joint resolutions.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate requests of the House of Representatives the return of H. B. No. 166, authorizing the creation of an additional sub-school district in Madison township, Columbiana county.

Attest: S. K. DONAVIN, *Clerk.*

The request of the Senate was acceded to.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate accedes to the request of the House of Representatives for the return of S. B. No. 4, to amend section 13 of the act of May 1, 1852, entitled an act to provide for the creation and regulation of incorporated companies in the State of Ohio, as amended April 25, 1873.

Attest: S. K. DONAVIN, *Clerk.*

Mr. McCoy moved to refer the bill to a select committee of one, with instructions to strike out the word "ten" before the word "miles," and insert "thirty."

Which was agreed to, and Mr. McCoy was appointed said committee, who, on leave, reported the bill back, amended as instructed.

The question then being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 65, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Armstrong of Guernsey, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Barrett, Beatty, Blake, Case, Chapman of Cuyahoga, Chapman of Meigs, Cole, Coler, Conklin, Conkright, Eidson, Eshelman, Faxon, Ford, Geghan, Green, Haven, Heitman, Herron, Hill, Hoagland, Hodge, Holloway, Holt, Howland, Huston, Inman, Johnson, Kemp, Loomis, Mack, Mann, Marx, Martin, McCoy, McKinley, McLain, Moorehead, Morris, Munson, Nelson, Newell, Newton, Oren, Ramsay, Ray, Richards, Robb, Sheppard, Stone, Thompson of Lucas, Thompson of Montgomery, Tryon, Van Meter, Vincent, Watson, Weible, West and White—65.

So the bill passed. The title was agreed to.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has concurred in the passage of H. B. No. 145, to regulate mines and mining, and to repeal an act therein named.

Attest: S. K. DONAVIN, *Clerk.*

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has passed the following bill, in which the concurrence of the House of Representatives is requested:

S. B. No. 112—By Mr. Burns: For the relief of the board of education of the city of Mansfield, Ohio.

Attest: S. K. DONAVIN, *Clerk.*

Said bill was read the first time.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has passed the following bill, in which the concurrence of the House of Representatives is requested:

S. B. No. 70—By Mr. Thompson: Prescribing the rate of taxation for county, bridge, road and township purposes, and to repeal certain acts therein named.

Attest: S. K. DONAVIN, *Clerk.*

Said bill was read the first time.

Leave of absence was granted Mr. Beatty for time indefinite; to Mr. Munson, until Tuesday; and to Messrs. Baker of Perry, Eidson, and Baker of Fairfield, until Monday next.

Mr. Howland, on leave, submitted the following report:

The committee on Judiciary, to whom was referred H. B. No. 211, to amend section 313 of the code of civil procedure, as amended April 18, 1870, having had the same under consideration, report it back, and recommend its engrossment and passage.

W. P. HOWLAND, J. SCOTT,
C. C. ARCHER, WM W. BEATTY,
T. M. ROBB, J. H. HEITMANN.

Said bill was ordered to be engrossed, and read the third time Tuesday next.

On motion of Mr. Holt, the House adjourned.

Attest: THOMAS COUGHLIN, *Clerk.*

SATURDAY, MARCH 14, 1874—10 o'clock A.M.

The House met pursuant to adjournment.

Prayer by Rev. L. Taft.

The Journal was read and approved.

Leave of absence was asked and granted as follows: Messrs. Archer and Neff, for time indefinite; Messrs. Walker, Green, Mesloh and Herron, until Monday next.

Mr. Armstrong of Belmont presented the remonstrance of George Brown and 113 other citizens of Belmont county, against the repeal of the law restraining animals from running at large.

Which was referred to the committee on Agriculture.

Mr. Barrett presented the petition of G. M. Kraft and 44 other citizens of Beaver Creek township, county of Greene, asking for a division of school district No. 3 into two school districts, and for building two new school-houses in place of one, and asked that the same be referred to a committee of one, with instructions to report by bill or otherwise.

Mr. Barrett was appointed said committee.

Mr. Thompson of Montgomery moved a suspension of the rule, for the purpose of permitting him to introduce a bill.

On which motion the yeas and nays were demanded, ordered, and resulted—yeas 44, nays 12, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Guernsey, Barnett, Baskin, Beach, Bell, Boyce, Carnahan, Coler, Conklin, Eshelman, Gordon, Harrison, Herron, Hill, Hoagland, Holloway, Howland, Inman, Johnson, Kemp, Light, McCoy, McKinley, McLain, Moorehead, Morris, Nelson, Newton, Oren, Pearson, Ramsay, Ray, Richards, Robb, Stone, Thompson of Lucas, Thompson of

Montgomery, Van Meter, Varley, Vincent, Walker, Watson, Weible and White—44.

Those who voted in the negative were—

Messrs. Armstrong of Belmont, Cole, Faxon, Heitmann, Loomis, Mack, Mann, Marx, Martin, Richmond, Scott and Sheppard—12.

So the House agreed to suspend the rule.

H. B. No. 287—By Mr. Thompson of Montgomery: For the relief of Walter Crook.

Said bill was read the first time.

On motion of Mr. Holloway, the rule was suspended for the purpose of permitting him to introduce the following bill:

H. B. No. 288: An act to punish intoxication.

Said bill was read the first time.

The following bills were introduced on leave, and read the first time:

H. B. No. 289—By Mr. Vincent: To amend an act authorizing township trustees to levy a tax to purchase a site and erect a township house thereon, passed May 6, 1869.

H. B. No. 290—By Mr. White: To provide for the payment of a town hall and place for holding elections in the township of Polk, Crawford county.

On motion of Mr. Oren, H. B. No. 55 was taken from the table.

The question was on agreeing to the amendments proposed by the select committee of seven, or to the substitute for the bill.

Which was agreed to.

Mr. Marx then offered the following amendment to the bill:

Add at the close of section 6, line three, the words "nor to any county containing within its limits a city of the first class."

Mr. Brunner moved to amend the amendment as follows: "That all counties in the State save Clinton be exempt from the provisions of the bill."

Mr. Sheppard moved that the bill and amendments be postponed until Wednesday next for further consideration.

Which was agreed to.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has concurred in House amendment to S. B. No. 8, to amend section 543 of an act to provide for the organization and government of municipal corporations, passed May 7, 1869, and as amended May 2, 1871, after amending the same as follows: "There may be each year levied, assessed and collected, of such special assessment, an amount not exceeding ten per cent. of the value of such lot or land after such improvement is made; provided further, that in all cities of the first class and municipalities named in this section."

Attest: S. K. DONAVIN, *Clerk.*

On motion of Mr. Scott, said bill and pending amendment were referred to the committee on the Judiciary.

On motion of Mr. Scott, all bills on the calendar for third reading were postponed until Monday next.

Mr. Richards submitted the following report:

The select committee of one to whom was referred H. B. No. 210, to amend section 1 of an act entitled an act to exempt specific articles of personal property from execution, passed April 16, 1873, having had the

same under consideration, reports it back, with the following amendment, and recommends its passage.

Strike out all between lines thirty-three and forty-one, inclusive, and substitute the following:

"Sixth. One half of the personal earnings of the debtor, and the personal earnings of his or her minor child or children, for any time not exceeding three months previous to the rendition of the judgment or the assessment of the fine or amercement upon which execution is issued, when it shall be made to appear, by the affidavit of the debtor, or otherwise, that such part of said earnings are necessary to the support of such debtor, or of his or her family." R. G. RICHARDS.

The amendment was agreed to.

Said bill was then ordered to be engrossed, and read the third time Tuesday next.

The following bills were then introduced and read the first time:

H. B. No. 291—By Mr. Heitmann: To amend an act entitled an act to amend an act entitled an act to provide for the organization and government of municipal corporations, passed May 7, 1869, passed April 18, 1870.

H. B. No. 292—By Mr. Gowey: To amend section 16 of an act for the relief of the poor, and to repeal certain acts therein named, passed April 26, 1872, passed May 5, 1873.

H. B. No. 293—By Mr. Weible: To amend section 19 of an act entitled an act to amend sections 9 and 19 of an act authorizing county commissioners to purchase land for the use of court-houses, jails and county infirmaries, and to erect buildings thereon, to build bridges, and prescribing their duties in the construction or alteration of any court-house, jail, county infirmary or bridge, and to repeal certain acts and parts of acts therein named, passed April 27, 1869, passed May 1, 1871.

H. B. No. 294—By Mr. Barrett: To amend section 8 of an act entitled an act to provide against the evils resulting from the sale of intoxicating liquors in the State, passed May 1, 1854.

H. B. No. 295—By Mr. Weible: For the relief of Peter Phelan, James Webster, and John M. C. Marble.

Leave of absence was granted Mr. Hoagland until Monday next.

Mr. Ramsay submitted the following report:

The committee on New Counties and County Affairs, to whom was referred H. B. No. 223, to authorize the commissioners of Coshocton and Knox counties to build a bridge across the Mohican river, at or near the village of Rochester, Tiverton township, Coshocton county, having had the same under consideration, report it back, and recommend its indefinite postponement.

R. RAMSAY, S. A. WEST,
E. M. WALKER, J. B. RAY,
HIRAM MURLIN, JAMES WATSON.

The report was agreed to, and said bill indefinitely postponed.

Mr. Barnett submitted the following report:

The committee on Roads and Highways, to whom was referred H. B. No. 231, to protect sidewalks in certain cases specified, having had the same under consideration, report it back, and recommend its indefinite postponement.

ROBERT BARNETT, J. A. MOOREHEAD,
E. A. STONE, LEBBEUS COLE,
W. H. CONKRIGHT, B. NEFF.
E. P. NEWELL,

The report was agreed to, and said bill indefinitely postponed.

Mr. Harrison submitted the following report:

The committee on Public Schools, to whom was referred H. B. No. 270, to authorize the board of education of the incorporated village of Medina to take up outstanding bonds and issue new bonds, with extended time, having had the same under consideration, report it back, and recommend that it be passed.

JAMES A. NORTON, BENJAMIN INMAN,
WILLIAM M. MCKINLEY, T. J. HARRISON.
ORVIL BLAKE,

Said bill was ordered to be engrossed, and read the third time Monday next.

Mr. Mack submitted the following report:

The committee on Agriculture, to whom was referred H. B. No. 157, to amend section 1 of an act entitled an act to restrain from running at large certain animals therein named, having had the same under consideration, report it back without recommendation.

H. H. MACK, J. F. THOMPSON,
H. M. CHAPMAN, T. M. BAY,
ROBERT BARNETT, D. C. RICHMOND.
T. E. SATER,

Said bill was then ordered to be engrossed, and read the third time Thursday next.

Mr. Mack submitted the following report:

The committee on Agriculture, to whom was referred H. B. No. 71, to amend sections 5 and 6 of the act entitled an act for the inspection of certain articles therein named, having had the same under consideration, report it back, with the following amendments, and recommend its passage as amended:

In section 1, line two, strike out the words "sections 5 and," and insert the word "section." Strike out all of section 5. In section 2, line one, strike out after the word "said," the words "sections 5 and," and insert the word "section." In same line, after the word "same," strike out the word "are," and insert "is."

H. H. MACK, J. F. THOMPSON,
H. M. CHAPMAN, T. M. BAY,
ROBERT BARNETT, D. C. RICHMOND.
T. E. SATER,

The amendments were agreed to.

Said bill was ordered to be engrossed, and read the third time Wednesday next.

Mr. Baskin submitted the following report:

The committee on Railroads and Telegraphs, to whom was referred H. B. No. 248, to prohibit and punish certain offenses therein named, having had the same under consideration, report it back without recommendation.

THOMAS H. BASKIN, M. A. HOAGLAND,
J. E. PEARSON, T. M. BAY.

On motion of Mr. Baskin, said bill was laid on the table.

Mr. Howland submitted the following report:

The committee on Judiciary, to whom was referred H. B. No. 156, prescribing the mode for appropriation of property by corporations, having had the same under consideration, report it back, with the following amendments:

In section 2, line nine, after the word "situate," insert "upon first giving security for costs to the satisfaction of the court."

In line 14, strike out the words "the works, if any. to be constructed thereon," and in their place insert: "the uses and purposes for which it is to be used."

In section 4, line one, omit the word "immediately," and in line two insert, after the word "shall," the words "upon the precipe of the petitioner therefor being filed immediately;" and after the word "interest," in line three, insert the words "named in such precipe."

In section 5, line three, strike out all the words between "judge shall" and the words "from which," in line five, and in place thereof insert the words "issue a written notice to the clerk of the court of common pleas and the sheriff of the county where the petition is filed, directing them, within two days, to select from the names returned to serve as jurors, in the same manner that jurors are selected for the trial of any civil cause in the court of common pleas, nine persons, a list of whose names shall forthwith be returned to said probate court by the clerk;" and in line seven strike out the word "two," and insert the word "three." In line thirty-two strike out all after the word "viewers," and insert the words "such vacancies shall be filled by names selected as hereinafter provided for the first viewers, except that three names only shall be selected and returned for each person failing to serve, and each party shall, alternately, strike one name from the list, so that the remainder shall constitute the viewers to fill such vacancies: Provided, that the parties in any separate case may, by consent, agree upon any persons to act as viewers, or to fill such vacancies, so far as such separate case is concerned." In line forty-five strike out all after the words "by a jury," and insert the same in section 14 after the word "attend." (See post.)

In section 6, line 23, strike out all after the words "set forth."

In section 9, at the end, insert the words, "but after the return of the jury to the court evidence may be produced before it by both parties, and a trial had in accordance with the provisions of this act."

In section 10, line six, strike out the words "in the proceeding due from it up to that time as the judge may order," and insert in place thereof the words "as shall have lawfully accrued in such case up to the time." In line twenty-two strike out all after the first "and," and in place thereof insert: "also, that the petitioner shall pay to the owners of such property such an amount for their expenses in the proceeding, including time occupied and attorney fees, as the court upon the evidence produced in that behalf shall deem just and reasonable; and if said amount shall not be paid within thirty days thereafter, or if said owners shall not be satisfied therewith, they shall have a right of action against the petitioner for their expenses and fees aforesaid."

In section 11, line fourteen, strike out all after the word "difference."

In section 12, line 5, strike out the words "which is material and prejudicial to the substantial rights of such party." In line 17, strike out the words "as the court shall find due from it," and insert in their place "as may be lawfully due." In line 18, change "therefore" to "thereupon."

In section 14, line four, after the word "attend," insert "viewers shall be entitled to two dollars per day for their actual services, and five cents per mile for travel in performing the same," and after the word "are" insert "subsequent at." In line 18, after "day," insert "not exceeding ten days in all."

In section 18, line five, after last "or," insert "by the parties under whom it claims title thereto, or." In line 6, change "by" to "under."

In line 7 strike out the words "one year," and insert "the period limited by the code of civil procedure for bringing action for trespass upon real property."

In section 19, line 1, after the word "shall," insert: "apply to any corporation or company now or hereafter owning or operating a railroad within this State under the laws thereof, in the same manner and for the same uses and purposes, and to the same intent and effect, as in the case of other railroad corporations of this State; and if, at the time of filing its petition for appropriation, such corporation or company is organized or exists by virtue of a decree, sale, lease or agreement, had under any judicial proceedings or otherwise, or in any other manner than by virtue of a certificate of incorporation under the incorporation laws of this State, it may file with its said petition legal evidence of its lawful right to own or operate a railroad in this State in lieu of the certificate of incorporation required in the second and fourth sections of this act, but this act shall."

Add the following section:

"Section 20. Every railroad corporation or company now or hereafter owning and occupying any right of way or easement in any land, either by agreement with the owner or by virtue of any condemnation proceedings, shall present to the auditor of the county where such land is situate a statement of the quantity of such land embraced within such right of way or easement, and said quantity shall be deducted by the auditor from said land on the tax duplicate, so that the owner thereof shall not be required to pay taxes upon said quantity. All corporations or companies now owning and occupying any such right of way or easement shall present said statement within six months after the passage of this act, and all that shall hereafter come into such ownership and occupancy, within six months thereafter; and if any corporation or company shall neglect to present such statement, after being requested so to do by the landowner, such owner may do so at any time after the expiration of said six months."

Change section 20 to section 21.

The committee recommend the engrossment and passage of the bill with the above amendments.

W. P. Howland, J. H. Heitmann,
J. Scott, C. C. Archer,
J. M. Haag, T. M. Robb.
Wm. W. Beatty,

On motion of Mr. Howland, said bill and amendments were laid on the table and ordered to be printed.

Mr. Howland submitted the following report:

The committee on Finance, to whom was referred H. B. No. 237, supplementary to an act entitled an act to authorize county treasurers to pay out money to township treasurers, city treasurers, treasurers of incorporated villages and treasurers of boards of education in advance, passed April 29, 1873, having had the same under consideration, report it back, and recommend its passage.

E. B. Eshelman, W. P. Howland,
Geo. H. Ford, R. Hill,
E. M. Green, J. M. Poe.
Geo. W. Boyce,

Said bill was ordered to be engrossed, and read the third time Tuesday next.

Mr. Howland submitted the following report:

The committee on Judiciary, to whom was referred S. B. No. 10, to amend section 28 of the code of civil procedure, passed April 18, 1870, having had the same under consideration, report it back, with the following amendment, and recommend its engrossment and passage as amended:

Insert in line 18, after the word "him," "Provided, that she shall be entitled to the benefit of all the exemption laws of the State to heads of families; but."

W. P. HOWLAND, J. SCOTT,
C. C. ARCHER, WM. W. BEATTY.
T. M. ROBB,

The amendment was agreed to; and said bill was ordered to be engrossed, and read the third time Wednesday next.

Mr. Eshelman submitted the following report:

The committee on Finance, to whom was referred S. B. No. 62, to authorize the board of county commissioners of the county of Franklin, Ohio, to use and apply any unexpended moneys levied and collected upon the duplicate of said county for the erection of a new building for the infirmary of said county, in payment of the interest and principal of the Agricultural and Mechanical College bonds of said county, having had the same under consideration, report it back, and recommend its passage.

E. B. ESHELMAN, R. HILL,
GEO. H. FORD, J. M. POE,
E. M. GREEN, J. SCOTT,
W. P. HOWLAND, THOS. E. DUNCAN.
GEO. W. BOYCE,

Said bill was ordered to be engrossed, and read the third time Tuesday next.

Mr. Heitmann submitted the following report:

The committee on the Judiciary, to whom was referred H. B. No. 79, for the repeal of an act entitled an act for the disposition of unclaimed costs, passed May 5, 1873, having had the same under consideration, report it back, and recommend its passage.

J. M. PATTISON, J. SCOTT,
J. H. HEITMANN, J. M. HAAG,
WM. W. BEATTY. T. M. ROBB.
C. C. ARCHER,

Said bill was then ordered to be engrossed, and read the third time Wednesday next.

Mr. Newell submitted the following report:

The committee on Manufactures and Commerce, to whom was referred H. B. No. 226, to prevent certain fraudulent practices, having had the same under consideration, report it back without recommendation.

E. P. NEWELL, GUIDO MARX,
BENJ. INMAN, H. H. MACK,
JOHN P. HOLT, J. H. MESLOH.

Said bill was then ordered to be engrossed, and read the third time Wednesday next.

Mr. Ray submitted the following report:

The committee on New Counties and County Affairs, to whom was referred H. B. No. 234, to authorize the trustees of Lagrange township, Lorain county, to borrow money to build a town hall, having had the same

under consideration, report it back, with the following amendments, and recommend its passage:

Add to section 2 the following words: "Provided, that the trustees of said township, before issuing said bonds, shall first submit the question tax or no tax for said purpose to the electors of said township at some general election, after giving ten days' notice of the same in at least three public places in said township, which notice shall state the amount proposed to be raised, and for what purpose. The electors voting at said election shall have written or printed on their ballots, the words 'Tax for town hall—Yes;' or 'Tax for town hall—No;' and if a majority of all the electors voting at said election shall vote 'Town hall—Yes,' then and in that event said trustees may issue their bonds and levy the tax as herein provided."

J. B. RAY, R. RAMSAY,
JAMES WATSON, S. A. WEST,
HIRAM MURLIN, SHELDON NEWTON.
E. M. WALKER,

The amendment was agreed to.

Said bill was then ordered to be engrossed, and read the third time Tuesday next.

Mr. McLain submitted the following report:

The select committee of one to whom was referred H. B. No. 235, providing for and regulating the publication of application for local or special legislation, having had the same under consideration, reports it back, with the following amendment, and recommends its engrossment and passage:

After the word "therefor," in line thirteen of section 1, insert as follows: "the cost of publication to be paid by the corporation or party so applying." THOS. J. MCLAIN, Jr.

The amendment was agreed to.

Said bill was then ordered to be engrossed, and read the third time Thursday next.

Mr. Barrett submitted the following report:

The select committee of one to whom was referred the petition of forty-four citizens of Beaver Creek township, Green county, reports the following bill (H. B. No. 296). J. M. BARRETT.

H. B. No. 296—By Mr. Barrett, as a select committee of one: To create a separate school district in Beaver Creek township, Green county.

Said bill was read the first time.

Mr. Stone moved that H. B. No. 91 be taken from the table.

Which was agreed to.

Said bill was then ordered to be engrossed, and read the third time Tuesday next.

Mr. McCoy submitted the following report:

The committee on Agriculture, to whom was referred H. B. No. 276, to authorize the commissioners of any county to locate and improve roads in certain specified cases, having had the same under consideration, report it back, with the following amendments, and recommend its passage:

Section 4, line 8, strike out the word "some," and insert "at least two daily." Line 9 strike out the word "thirty," and insert the word "fifteen."

MILT. MCCOY, ROBERT BARNETT,
THOS. H. BASKIN, H. H. MACK.
J. F. THOMPSON,

The amendments were agreed to.

Said bill was then ordered to be engrossed, and read the third time Tuesday next.

Mr. Scott offered the following resolution:

H. J. R. No. 33: *Resolved by the General Assembly of the State of Ohio*, That the Attorney-General and the Secretary of State be and they are requested to prepare a bill codifying and revising the laws on the subject of corporations other than municipal, and submit the same to the Legislature at its next session for consideration.

The question being on the adoption of said resolution, the yeas and nays were ordered, and resulted—yeas 53, nays 1, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Barrett, Baskin, Beach, Bell, Blake, Boyce, Brunner, Carnahan, Chapman of Meigs, Cole, Coler, Eshelman, Faxon, Ford, Gowey, Gordon, Harrison, Heitmann, Hill, Holloway, Howland, Huston, Johnson, Kemp, Light, Loomis, Mack, Mann, Martin, McCoy, McKinley, McLain, Morris, Nelson, Newton, Norton, Ramsay, Ray, Richards, Robb, Scott, Stone, Thompson of Montgomery, Tryon, Van Meter, Varley, Vincent, Weible, White, Williams and Speaker—53.

Mr. Barnett voted in the negative.

So the resolution was adopted.

On motion of Mr. Scott, H. J. R. No. 29 was taken from the table, and referred to the committee on Federal Relations.

Mr. Brunner moved that the House do now adjourn.

On which motion the yeas and nays were demanded, ordered, and resulted—yeas 33, nays 24, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Baskin, Bell, Blake, Boyce, Brunner, Carnahan, Chapman of Meigs, Conkright, Eshelman, Faxon, Ford, Gordon, Harrison, Heitmann, Holloway, Huston, Johnson, Martin, McLain, Morris, Newell, Newton, Norton, Oren, Ramsay, Robb, Scott, Van Meter, Walker, White and Williams—33.

Those who voted in the negative were—

Messrs. Barnett, Barnett, Beach, Cole, Coler, Conklin, Hill, Howland, Kemp, Light, Loomis, Mack, McCoy, McKinley, Moorehead, Ray, Stone, Thompson of Montgomery, Tryon, Varley, Vincent, Watson and Weible —24.

So the motion was agreed to, and the House adjourned

Attest: THOMAS COUGHLIN, *Clerk.*

MONDAY, MARCH 16, 1874—10 o'clock A.M.

The House met pursuant to adjournment.

Prayer by Rev. Chas. H. Kellogg.

Mr. Scott demanded a call of the House. Forty members answered to their names.

The absentees were Messrs. Archer, Armstrong of Guernsey, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barrett, Bay, Beach, Beatty, Blake, Brooke, Case, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Coler, Cooley, Conklin, Conkright, Duncan, Eidson, Ford, Geghan, Gowey, Gordon, Grosvenor, Haag, Hardy, Hatfield, Haven, Heitmann, Herron, Hill, Hoagland, Hodge, Holloway, Holt, Howland, Kemp,

Lewis, Mack, Marx, McCoy, McLain, Mesloh, Morris, Munson, Murlin, Myers of Ashland, Myers of Fayette, Neff, Parker, Pattison, Pearson, Poe, Richards, Richmond, Sater, Sheppard, Sherrick, Thompson of Lucas, Varley, Walker, West and Williams.

The Sergeant at-Arms was dispatched for absentees.

On motion of Mr. Oren, further proceedings under the call were dispensed with.

Mr. Miller moved that the House do now adjourn.

Which was disagreed to.

Mr. Mann demanded a call of the House. Forty-two members answered to their names.

The Sergeant at-Arms was dispatched for absentees.

Mr. Armstrong of Belmont moved that the House do now adjourn.

On which motion the yeas and nays were demanded, ordered, and resulted—yeas 21, nays 22, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Belmont, Baskin, Boyce, Chapman of Meigs, Faxon, Johnson, Mack, Martin, McCloud, McKinley, Miller, Moorehead, Nelson, Newell, Newton, Oren, Ramsay, Robb, Scott, Weible and White—21.

Those who voted in the negative were—

Messrs. Barnett, Beach, Bell, Cole, Eshelman, Green, Harrison, Hill, Huston, Inman, Loomis, Mann, Norton, Ray, Richards, Stone, Thompson of Montgomery, Tryon, Van Meter, Varley, Vincent and West—22.

So the House refused to adjourn.

Messrs. Ford, McLain, Blake, Armstrong of Guernsey, West, Case, Richards, Howland, Conklin, Baker of Fairfield, and Holloway appeared within the bar, and answered to the call.

On motion of Mr. Mann, further proceedings under the call were dispensed with.

The Journal of Saturday was then read and approved.

Mr. Bell presented the petition of Wm. D. Rutledge and 35 other citizens of Franklin township, Licking county, for the passage of a law limiting the powers of township boards of education.

Which was referred to the committee on Common Schools and School Lands.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has concurred in the passage of the following bills:

H. B. No. 220—By Mr. Howland: To authorize the trustees of the township of New London, Huron county, to transfer moneys raised by a tax to build a railroad to the school fund of said county.

H. B. No. 80—By Mr. Kemp: To amend section 27 of an act relating to roads and highways, as amended by the act passed January 6, 1873.

Attest: S. K. DONAVIN, *Clerk.*

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has passed the following bills, in which the concurrence of the House of Representatives is requested:

S. B. No. 43—By Mr. Reese: To amend an act entitled an act supplementary to an act to provide for the creation and regulation of incorporated companies in the State of Ohio, passed May 2, 1871. (O. L., Vol. 68, p. 129.)

S. B. No. 81—By Mr. Yeoman: To amend section 3 of the act entitled an act to provide for the semi-annual collection of taxes, passed April 2, 1859. (S. & C., 1476.)

S. B. No. 105—By Mr. Rukenbrod: To amend section 5 of an act entitled an act to provide for a uniform standard of weights and measures, passed April 11, 1861. (S. & S., p. 924.)

S. B. No. 108—By Mr. Kerr: To amend section 161 of an act entitled an act to provide for the settlement of the estate of deceased persons, passed March 23, 1840. (S. & C., 597.)

S. B. No. 85—By Mr. Reid: To amend sections 52 and 53 of an act entitled an act to provide for the uniform government and better regulation of the lunatic asylums of the State, and the care of idiots and the insane, passed and took effect April 7, 1856. (S. & C., 849.)

S. B. No. 76—By Mr. Potter: To amend section 3 of an act to incorporate humane societies, and supplementary to the act to prevent cruelty to animals, passed April 15, 1873. (O. L., Vol. 70, p. 131.)

S. B. No. 100—By Mr. Potter: To extend the provisions of an act entitled an act supplementary to an act to provide for the organization and government of municipal corporations, passed May 7, 1869, amended January 29, 1873, to cities of the first class which have been advanced to that grade during decennial periods.

S. B. No. 101—By Mr. Potter: To repeal an act entitled an act to provide for the organization, regulation and more efficient government of the police in cities of the first class which have been advanced to that grade between decennial periods, passed May 5, 1868, and for other purposes. (65 O. L., p. 151.)

Attest: S. K. DONAVIN, *Clerk.*

Said bills were read the first time.

On motion of Mr. Scott, the engrossment and order for third reading of H. B. No. 175 was reconsidered.

Mr. Scott then moved to reconsider the amendments to the bill.

Which was agreed to.

Mr. Scott then moved to amend the amendments as follows: Strike out of the amendment offered by Mr. Scott, after line thirty, section 2, the words "and the appropriation made by the act entitled an act making partial appropriations for the year 1874, passed February 16, 1874."

Which was agreed to.

The amendments, as amended, were then agreed to.

Said bill was ordered to be re-engrossed, and read the third time Wednesday next.

Mr. Ford presented the remontrance of Saml. McGonigal and 164 other citizens of Chardon, Ohio, against any modification or repeal of the Adair liquor law.

Which was referred to the committee on Temperance.

The following bills were read the second time:

S. B. No. 70: Prescribing the rate of taxation for county, bridge, road and township purposes, and to repeal certain acts therein named.

On motion of Mr. Green, said bill was laid on the table, and ordered to be printed.

S. B. No. 112: For the relief of the board of education of the city of Mansfield, Ohio.

Referred to the committee on Public Schools.

H. B. No. 278: For the relief of George C. Wilson.

Referred to the committee on Claims.

H. B. No. 279: To authorize the Board of Public Works to construct a culvert across the National road, in Deercreek township, Madison county, Ohio.

Referred to the committee on Public Works.

H. B. No. 280: For the consolidation of sub-school districts numbers five and six, in Rumley township, Harrison county, Ohio, into one sub-school district, to be known as sub-school district number five.

Referred to the committee on Common Schools and School Lands.

H. B. No. 281: To create a special school district in Wayne and Smithfield townships, Jefferson county, Ohio.

Referred to the committee on Public Schools.

H. B. No. 188, to amend section 2 of an act regulating the mode of administering assignments in trust for the benefit of creditors, passed and took effect April 6, 1859, was read the third time.

On motion of Mr. West, the House took a recess.

HALF-PAST TWO O'CLOCK P.M.

On motion of Mr. Faxon, the further consideration of H. B. No. 188 was postponed until to-morrow.

Mr. White, on leave, offered the following joint resolution:

H. J. R. No. 34: Authorizing the Secretary of State to distribute certain reports.

Resolved by the General Assembly of the State of Ohio, That the Secretary of State be and he is hereby directed to have boxed up at the State bindery the Geological Survey reports and Statistical reports to which the members of the General Assembly are entitled, and ship the same to the address of the several members respectively; and the Secretary of State is hereby directed to pay the charges for shipping the same out of the amount appropriated for the distribution of the laws, journals and public documents.

The question being on the adoption of the resolution, the yeas and nays were ordered, and resulted—yeas 53, nays 1, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Baker of Fairfield, Barnett, Baskin, Beach, Blake, Boyce, Case, Carnahan, Chapman of Meigs, Cole, Conkright, Eshelman, Faxon, Gowey, Green, Harrison, Holloway, Holt, Howland, Huston, Inman, Johnson, Kemp, Light, Mack, Mann, Martin, McCloud, McKinley, McLain, Moorehead, Morris, Neff, Nelson, Norton, Oren, Ramsay, Ray, Richards, Robb, Scott, Stone, Thompson of Montgomery, Tryon, Van Meter, Varley, Vincent, Watson, West, White and Speaker—53.

Mr. Brunner voted in the negative.

So the resolution was adopted.

S. B. No. 89, to amend an act entitled an act to establish a code of criminal procedure for the State of Ohio, passed May 6, 1869, was read the third time.

On motion of Mr. Boyce, the further consideration of all bills now on the calendar, including S. B. No. 89, was postponed until to-morrow.

The following bills were introduced, and read the first time:

H. B. No. 297—By Mr. Case: To authorize the commissioners to receive donations and make appropriations for a purpose therein named.

H. B. No. 298—By Mr. Oren: To authorize county commissioners to repair improved roads in certain cases.

H. B. No. 299—By Mr. Neff: To amend an act entitled an act supple-

mentary to an act entitled an act for the assessment and taxation of property in this State, and for levying taxes thereon according to its true value in money, passed April 5, 1859.

H. B. No. 300—By Mr. McCloud: To authorize the President and Secretary of the Madison County Agricultural Society to sell and convey certain lands.

H. B. No. 301—By Mr. Baker of Perry: To provide for the creation and regulation of annuity, assurance and trust companies.

H. B. No. 302—By Mr. Neff: To repeal an act therein named.

H. B. No. 303—By Mr. Herron: To prevent the indiscriminate sale of spiritous, vinous and malt liquors in the State.

H. B. No. 304—By Mr. Myers of Ashland: To amend an act entitled an act regulating the Commercial Hospital of Cincinnati, passed March 11, 1861, and to repeal certain amendments thereto, passed February 24, 1864.

H. B. No. 305—By Mr. Howland: To amend section 34 of an act to regulate the election of State and county officers, passed May 3, 1852.

H. B. No. 306—By Mr. Sater: To amend section 19 of an act for the relief of the poor, passed April 26, 1872.

Leave of absence for an indefinite time was granted Mr. Thompson of Lucas.

Mr. Barnett submitted the following report:

The committee on Roads and Highways, to whom was referred H. B. No. 272, to amend section 1 of the act entitled an act to require county commissioners to construct approaches to bridges, having had the same under consideration, report it back, and recommend its engrossment and passage.

ROBERT BARNETT, J. A. MOOREHEAD,
LEBBEUS COLE, E. P. NEWELL.
E. A. STONE,

Said bill was ordered to be read the third time Thursday next.

Mr. Barnett submitted the following report:

The committee on Roads and Highways, to whom was referred H. B. No. 191, to authorize the commissioners of Pickaway county, Ohio, to build a bridge across Deer creek, at or near Hayne's mill, in said county, having had the same under consideration, report it back, with the following bill as a substitute, and recommend its passage.

ROBERT BARNETT, J. A. MOOREHEAD,
LEBBEUS COLE, E. A. STONE.
E. P. NEWELL,

Substitute for H. B. No. 191—By Mr. Conklin: To authorize the commissioners of Pickaway county, Ohio, to build a bridge across Deer creek, at or near Hayne's mill, in said county.

Section 1. *Be it enacted by the General Assembly of the State of Ohio*, That the commissioners of Pickaway county, Ohio, be and they are hereby authorized to build a bridge across Deer creek, at or near Haynes' mill, in said county, and to appropriate and draw out of the bridge fund of said county a sum not to exceed twenty-five thousand dollars for said purpose.

Sec. 2. This act to take effect and be in force from and after its passage.

The substitute was agreed to, and said bill was then ordered to be engrossed, and read the third time Thursday next.

Mr. Barnett submitted the following report:

The committee on Roads and Highways, to whom was referred S. B.

No. 88, to amend section 21 of an act entitled an act to amend sections 18 and 21 of the act relating to roads and highways, passed March 9, 1868, and amended April 8, 1868, having had the same under consideration, report it back, with the recommendation that it be indefinitely postponed.

ROBERT BARNETT, E. P. NEWELL,
LEBBEUS COLE, E. A. STONE.
J. A. MOOREHEAD,

Said report was agreed to, and the bill indefinitely postponed.

Mr. Case submitted the following report:

The committee on Common Schools and School Lands, to whom was referred S. B. No. 78, to amend sections 23, 24 and 25 of an act for the reorganization and maintenance of common schools, passed March 1, 1873, having had the same under consideration, report it back, and recommend that it be passed.

O. CASE, E. MARTIN,
J. A. MOOREHEAD, G. W. LIGHT.
H. G. TRYON,

Said bill was then read the third time, and the question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 61, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Baker of Fairfield, Baker of Perry, Barnett, Beach, Blake, Boyce, Brunner, Case, Carnahan, Chapman of Meigs, Cole, Conklin, Conkright, Eshelman, Faxon, Ford, Gordon, Green, Herron, Hill, Holloway, Holt, Huston, Inman, Johnson, Kemp, Light, Loomis, Mack, Mann, Marx, Martin, McCloud, McCoy, McKinley, McLain, Miller, Moorehead, Morris, Myers of Ashland, Neff, Newell, Newton, Norton, Oren, Ramsay, Ray, Richards, Robb, Sater, Scott, Stone, Thompson of Montgomery, Tryon, Van Meter, Varley, Vincent, Watson, West and Williams—61.

So the bill passed. The title was agreed to.

Mr. Howland submitted the following report:

The committee on Judiciary, to whom was referred H. B. No. 130, to amend section 10 of an act entitled an act for the maintenance and support of illegitimate children, and to repeal said section so amended, passed April 3, 1873, having had the same under consideration, report it back, and recommend its indefinite postponement.

W. P. HOWLAND, J. H. HEITMANN,
J. M. PATTISON, J. SCOTT,
C. H. GROSVENOR, J. M. HAAG,
C. C. ARCHER, T. M. ROBB.

On motion of Mr. Morris, the further consideration of the bill was postponed until Thursday next.

Mr. Nelson submitted the following report:

The committee on Reform Schools for Boys and Girls, to whom was referred S. B. No. 58, supplementary to an act entitled an act for the establishment, support and regulation of children's homes in the several counties of this State, and repealing a certain act therein named, passed and took effect April 7, 1867, having had the same under consideration, report it back, and recommend that it be passed.

J. W. NELSON, E. A. STONE,
T. J. WHITE, J. M. BARRETT.
J. C. VINCENT,

Said bill was ordered to be read the third time Wednesday next.

Mr. Loomis offered for adoption the following resolution :

H. R. No. 86 : *Resolved*, That no leaves of absence will be granted to any member of the House, except in case of sickness or positive necessity ; and that in every instance such leaves shall be asked in writing, and read at the Clerk's desk.

Mr. Oren gave notice of a desire to discuss said resolution ; so, under the rule, it was laid on the table.

Mr. Case offered the following resolution, which was adopted :

H. R. No. 87 : *Resolved*, That the Auditor of State be and he is hereby requested to report to this House at his earliest convenience the names of clerks and other officers employed in the State House who during the past year have been paid salaries for more than one office held at the same time ; the names of the persons and the offices or places thus held ; the amount of compensation paid in each case ; and the amount, if any, paid clerks from the treasury for services in other departments or offices of the State government than those in which they are enrolled as clerks and paid a monthly or yearly salary.

Mr. Oren moved to reconsider the vote whereby H. B. No. 55 was set for third reading Wednesday next.

On which motion the yeas and nays were demanded, ordered, and resulted—yeas 51, nays 7, as follows :

Those who voted in the affirmative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Baker of Fairfield, Baker of Perry, Barnett, Barrett, Baskin, Beach, Blake, Boyce, Carnahan, Chapman of Meigs, Conkright, Eshelman, Faxon, Gowey, Gordon, Harrison, Herron, Holt, Howland, Inman, Johnson, Kemp, Light, Mack, Mann, Martin, McCloud, McCoy, McKinley, McLain, Miller, Moorehead, Morris, Myers of Ashland, Neff, Newton, Oren, Ramsay, Ray, Robb, Scott, Stone, Tryon, Van Meter, Varley, Vincent, Watson, West and Williams —51.

Those who voted in the negative were—

Messrs. Brunner, Case, Cole, Huston, Loomis, Newell and Norton—7.

So the motion was agreed to.

On motion of Mr. Oren, the further consideration of the bill was then postponed until to-morrow.

Mr. Holloway, on leave, presented the petition of S. Y. Kenedy and 48 other citizens of Columbiana county, for the passage of H. B. No. 203.

Which was referred to the committee of the Whole.

Mr. Faxon, on leave, presented the petition of William P. Harris, Wm. H. Backus and 230 other voters of Oberlin, Lorain county, Ohio, against the repeal or modification of the law known as the Adair liquor law.

Which was referred to the committee on Temperance.

Mr. Faxon, on leave, presented the remonstrance of Mrs. Ellis, Mrs. Goodrich and 564 other women of Oberlin, Lorain county, Ohio, against the repeal or modification of the law known as the Adair liquor law.

Which was referred to the committee on Temperance.

Mr. Faxon, on leave, presented the petition of Henry Cowles, James Dascomb and 416 other citizens of Oberlin, Lorain county, Ohio, for the enactment of a law authorizing villages in which chartered colleges are situate to regulate for themselves the sale of intoxicating liquors within their limits.

Which was referred to the committee on Temperance.

Mr. West, on leave, presented the petition of Thomas Fletcher and 42 other citizens of Clermont county, for the passage of H. B. No. 203.

Which was referred to the committee on Common Schools and School Lands.

On motion of Mr. Brunner, the House adjourned.

Attest: THOMAS COUGHLIN, *Clerk.*

TUESDAY, MARCH 17, 1874—10 o'clock A.M.

The House met pursuant to adjournment.

Prayer by Rev. Charles H. Kellogg.

The Journal was read and approved.

Mr. Boyce submitted the following report:

The committee on Revision have examined, and found correctly engrossed, House Bills Nos. 91, 188, 211, 210, 234, 237 and 276.

GEO. W. BOYCE, JOHNSON SHERRICK,
JON. MORRIS, WM. M. MCKINLEY.
C. H. GROSVENOR,

Mr. Ford presented the remonstrance of George W. Garritt and 57 other citizens of Montville, Ohio, against the repeal or modification of the Adair liquor law.

Which was referred to the committee on Temperance.

Mr. Johnson presented the petition of Erastus Pond and 19 other citizens of Scioto county, for the repeal of section 2 of an act passed April 13, 1865, entitled an act to restrain from running at large certain animals therein named.

Which was referred to the committee on Agriculture.

Mr. Johnson presented the petition of Levi Kerkindall and 14 other citizens of Scioto county, for the repeal of section 2 of an act passed April 13, 1865, entitled an act to restrain from running at large certain animals therein named.

Which was referred to the committee on Agriculture.

Mr. McCoy presented the petition of Augustus Rose and 74 other citizens of Adelphi, Ross county, for the passage of H. B. No. 203.

Which was referred to the committee of the Whole.

Mr. Conklin presented the petition of R. E. Campbell and 36 other citizens of Pickaway county, for the passage of H. B. No. 203.

Which was referred to the committee of the Whole.

Mr. Blake presented the remonstrance of Horace Sizer and 42 other citizens of Kent, Portage county, against the passage of the Kemp game bill.

Which was referred to the committee on Agriculture.

Mr. Heitmann presented the remonstrance of E. M. Van Harlingen and 294 other citizens of Franklin county, against the passage of H. B. No. 214, providing for the election of police commissioners.

Which was read at the Clerk's desk, and laid on the table.

Mr. Case presented the petition of W. C. Sheffield and 132 other citizens of Hocking county, for the passage of H. B. No. 203.

Which was referred to the committee of the Whole.

Mr. Sater presented the petition of Wm. Jessup and 200 other citizens of Hamilton county, for the reduction of toll on the Cincinnati and Harrison turnpike.

Which was referred to the committee on Turnpikes.

Mr. Mann presented the petition of N. W. Jewell and 11 other physicians of Fulton county, for the passage of an act to protect physicians against unjust prosecutions for alleged malpractice.

Which was referred to the committee on Medical Colleges and Societies.

Mr. Moorehead presented the petition of John B. Robertson and 76 other citizens of Muskingum county, for the repeal of certain acts therein named, and for the passage of an act authorizing the commissioners of said county to apply the tax authorized and levied under said acts to the erection of a court-house in said county.

Which was referred to the committee on New Counties and County Affairs.

Mr. Williams presented the petition of C. Mortimer Jones and 37 other citizens of Berlin township, Delaware county, asking that the village of Cheshire, in Berlin township, Delaware county, and territory in sub-school district No. 3, in said township, be constituted a special school district.

Which was referred to the committee on Common Schools and School Lands.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The following bills have been introduced in the Senate, and read the first time:

S. B. No. 128—By Mr. Knox: To authorize the trustees of Cadiz township, Harrison county, to transfer certain money from the railroad fund to the township fund, and to pay certain local bounties.

S. B. No. 129—By Mr. Thompson: To amend sections 1, 2, 5, 6 and 7 of an act entitled an act to reorganize the institution for the education of the blind, and to repeal certain laws heretofore passed, passed and took effect April 6, 1866 (S. & S., pp. 46–48), and section 2, as amended March 10, 1873 (O. L., Vol. 70, pp. 58–59).

S. B. No. 130—By Mr. Fisher: Supplementary to an act passed April 30, 1869 (O. L., Vol. 66, p. 68), entitled an act to amend section 4 of an act entitled an act for opening and regulating roads and highways, passed January 27, 1853 (S. & C., p. 1290).

Attest: S. K. DONAVIN, *Clerk.*

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has concurred in the passage of H. B. No. 108, to prevent the use of ferrets to catch rabbits, after amending the same as follows:

Insert in line 5 of section 1, between the words "employ" and "ferrets," the words "except upon premises owned by such person or persons."

Strike out in lines 7 and 8 in section 1 all after the word "places."

Strike out of line 2 of section 3 the words "ten days," and insert in lieu thereof the words "from and."

Attest: S. K. DONAVIN, *Clerk.*

The question being on agreeing to the Senate amendments, the yeas and nays were ordered, and resulted--yeas 60, nays 5, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Guernsey, Baker of Fairfield, Barnett, Baskin, Beach, Blake, Boyce, Chapman of Cuyahoga, Chapman of Meigs, Cole,

Cooley, Conklin, Conkright, Eshelman, Faxon, Ford, Heitmann, Herron, Hill, Hoagland, Hodge, Holt, Huston, Inman, Kemp, Lewis, Loomis, Mann, McCloud, McCoy, McKinley, McLain, Mesloh, Miller, Moorehead, Munson, Murlin, Myers of Ashland, Myers of Fayette, Neff, Nelson, Newell, Newton, Norton, Pattison, Ray, Richmond, Robb, Sater, Scott, Sherrick, Stone, Thompson of Montgomery, Varley, Vincent, Walker, Watson, Weible, West and Williams—60.

Those who voted in the negative were—

Messrs. Case, Carnahan, Grosvenor, Johnson and Speaker—5.

So the amendments were agreed to.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has concurred in the passage of H. B. No. 185, to authorize the president and secretary of the Urichsville Agricultural Society to sell and convey certain lands, after amending the same as follows:

Stike out in the second line of section 1, after the word "the" and before the word "Urichsville," the words "president and secretary of the."

In the fifth line of same section, after the word "as" and before the word "may," in the sixth line, strike out the word "stockholders," and insert in place thereof the words "a majority of the stockholders of said society;" and after the word "determine," in the sixth line of said section, add the following words: "and to convey such grounds to the purchaser thereof by deed duly executed and acknowledged by the president of said society as prescribed by law."

Strike out all of section 2.

In line 1, section 3, strike out the figure "3," and insert the figure "2."

Strike out of the first line of the title the words "president and secretary of the."

In which the concurrence of the House of Representatives is requested.

Attest: S. K. DONAVIN, *Clerk.*

The question being on agreeing to the Senate amendments, the yeas and nays were ordered, and resulted—yeas 58, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Guernsey, Baker of Fairfield, Barnett, Beach, Blake, Boyce, Case, Chapman of Cuyahoga, Chapman of Meigs, Cole, Cooley, Conkright Eshelman, Faxon, Green, Grosvenor, Heitmann, Herron, Hill, Holloway, Holt, Inman, Johnson, Kemp, Lewis, Light, Loomis, Mack, Mann, McCloud, McKinley, McLain, Mesloh, Miller, Moorehead, Morris, Munson, Murlin, Myers of Ashland, Myers of Fayette, Nelson, Newton, Norton, Pattison, Poe, Ramsay, Ray, Sater, Scott, Sheppard, Sherrick, Stone, Tryon, Vincent, Walker, Watson, Weible and West—58.

So the amendments were agreed to.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The following bills have been introduced in the Senate, and read the first time:

S. B. No. 131—By Mr. Hudson: To create two election precincts in Put-in-Bay township, Ottawa county.

S. B. No. 132—By Mr. Fisher: To authorize the commissioners of the counties of Coshocton and Knox to build a bridge across the Mohican

river, on or near the village of Rochester, in Tiverton township, Coshocton county.

S. B. No. 133—By Mr. Worthington: Supplemental to an act entitled an act for the inspection of gas meters, the protection of gas consumers, and the protection and regulation of gas companies, passed April 6, 1866. (S. & S., 158.)

S. B. No. 134—By Mr. Knox: Supplementary to an act for the reorganization and maintenance of common schools, passed May 1, 1873.

Attest: S. K. DONAVIN, *Clerk.*

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has adopted the following joint resolution, in which the concurrence of the House of Representatives is requested:

S. J. R. No. 33—By Mr. Goodhue: Expressing sorrow for the death of United States Senator Charles Sumner.

Attest: S. K. DONAVIN, *Clerk.*

Mr. Scott moved to amend the resolution by striking out "15th," and inserting "20th."

Which was agreed to.

The question then being on the adoption of the resolution, the yeas and nays were ordered, and resulted—yeas 82, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Guernsey, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Barrett, Baskin, Beach, Bell, Blake, Boyce, Case, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Cole, Conkright, Eshelman, Faxon, Ford, Gowey, Green, Grosvenor, Haag, Harrison, Haven, Heitmann, Herron, Hill, Hoagland, Hodge, Holloway, Holt, Howland, Huston, Inman, Johnson, Kemp, Lewis, Light, Loomis, Mack, Mann, Martin, McCoy, McKinley, McLain, Mesloh, Miller, Moorehead, Morris, Munson, Murlin, Myers of Ashland, Myers of Fayette, Nelson, Newell, Newton, Norton, Oren, Pattison, Poe, Ramsay, Ray, Richards, Richmond, Robb, Sater, Scott, Sheppard, Sherrick, Thompson of Montgomery, Tryon, Van Meter, Varley, Vincent, Walker, Watson, Weible, West, Williams and Speaker—82.

So the resolution was agreed to.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has concurred in the passage of H. B. No. 12, to secure pay to persons performing labor or furnishing materials in constructing railroads, after amending the same as follows: Strike out the whole of section 3, and add the following section:

"Section 3. The several provisions of the foregoing sections shall apply to and include any person who shall furnish boarding to such contractor or sub-contractor for the persons employed by them in furnishing materials for or in the construction of such railroad; and in every such case the notice required in section 1 of this act shall have attached thereto an itemized account of such board, showing the name of the contractor or sub-contractor for whom such board was provided, the time when the several persons to whom the same was furnished by said boarding-house keeper, and the several amounts unpaid for each respectively.

"Sec. 4. This act shall take effect and be in force from and after its passage."

Add at the end of section 2 the words, "provided, that the claimant shall, in each case, be required to prosecute his claim before the proper tribunal within thirty days, and prosecute the same to final judgment without delay."

At the end of section 3 add the following words: "The word owner in this act shall be held and considered as including any lessee, receiver, corporation, company or person owning, operating or managing any railroad, with whom or in whose behalf the contracts named in this act shall have been made."

In lines 4 and 5 of section 2 strike out the words "by leaving a written notice thereof at his usual residence or place of business," and insert the words "personally or upon his authorized agent in writing."

In the 22d line of the first section strike out the word "owner."

Strike out the 23d line in the first section, and insert the words "secretary, other officer or agent of said railroad."

In the 32d and 33d lines strike out the words "the owner of said road," and insert the words "said railroad company."

In which the concurrence of the House of Representatives is requested.

Attest: S. K. DONAVIN, *Clerk.*

The question being on agreeing to the Senate amendments, the yeas and nays were ordered, and resulted—yeas 80, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Guernsey, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Barrett, Baskin, Beach, Bell, Blake, Boyce, Brunner, Case, Carnahan, Chapman of Cuyahoga, Cole, Cooley, Conkright, Ehelman, Faxon, Gordon, Green, Grosvenor, Harrison, Haven, Heitmann, Herron, Hill, Hoagland, Hodge, Holloway, Holt, Howland, Huston, Inman, Johnson, Kemp, Lewis, Light, Loomis, Mack, Mann, Martin, McCloud, McCoy, McKinley, McLain, Mesloh, Miller, Moorehead, Morris, Munson, Murlin, Myers of Ashland, Ayers of Fayette, Neff, Nelson, Newell, Newton, Norton, Oren, Pattison, Poe, Ramsay, Ray, Robb, Sater, Sheppard, Sherrick, Stone, Thompson of Montgomery, Tryon, Van Meter, Varley, Vincent, Walker, Watson, Weible, West and Williams —80.

So the amendments were agreed to.

The Speaker laid before the House a communication from the Board of Public Works in answer to H. R. No. 78.

On motion of Mr. Grosvenor, said communication was laid on the table and ordered to be printed.

The following bills were read the second time:

S. B. No. 43: To amend an act entitled an act supplementary to an act to provide for the creation and regulation of incorporated companies in the State of Ohio, passed May 2, 1871.

Referred to the committee on Railroads and Telegraphs.

S. B. No. 76: To amend section 3 of an act to incorporate humane societies, and supplementary to the act to prevent cruelty to animals, passed April 15, 1873.

Referred to the committee on Corporations other than Municipal.

S. B. No. 81: To amend section 3 of the act entitled an act to provide for the semi-annual collection of taxes, passed April 2, 1859.

Referred to the committee on Finance.

Mr. Brunner moved to suspend the rules for the purpose of introducing a resolution.

Which was disagreed to.

The House then resumed the second reading of bills.

S. B. No. 85: To amend sections 52 and 53 of an act entitled an act to provide for the uniform government and better regulation of the lunatic asylums of the State, and the care of idiots and the insane, passed and took effect April 7, 1856.

Referred to the committee on Insane Asylums.

S. B. No. 100: To extend the provisions of an act entitled an act supplementary to an act to provide for the organization and government of municipal corporations, passed May 7, 1869, amended January 29, 1873, to cities of the first class which have been advanced to that grade during decennial periods.

Referred to the committee on Municipal Corporations.

S. B. No. 101: To repeal an act entitled an act to provide for the organization, regulation and more efficient government of the police in cities of the first class which have been advanced to that grade between decennial periods, passed May 5, 1868, and for other purposes.

Referred to the committee on Municipal Corporations.

S. B. No. 108: To amend sections 26 and 161 of an act entitled an act to provide for the settlement of the estate of deceased persons, passed March 23, 1840.

Referred to the committee on the Judiciary.

S. B. No. 105: To amend section 5 of an act entitled an act to provide for a uniform standard of weights and measures, passed April 11, 1861.

Referred to the committee of the whole House.

S. B. No. 89, to amend an act entitled an act to establish a code of criminal procedure for the State of Ohio, passed May 6, 1869, was read the third time.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 65, nays 3, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Guernsey, Baker of Coshocton, Baker of Perry, Blake, Boyce, Case, Carnahan, Chapman of Cuyahoga, Cole, Cooley, Conklin, Conkright, Eshelman, Faxon, Gordon, Green, Haven, Heitmann, Herron, Hoagland, Hodge, Holloway, Huston, Inman, Kemp, Lewis, Loomis, Mack, Mann, McCoy, McKinley, McLain, Mesloh, Miller, Moorehead, Munson, Murlin, Myers of Ashland, Myers of Fayette, Nelson, Newell, Newton, Norton, Oren, Pattison, Poe, Ramsay, Ray, Richards, Richmond, Robb, Sater, Scott, Sheppard, Sherrick, Stone, Thompson of Montgomery, Tryon, Van Meter, Varley, Vincent, Walker, Watson, Weible and Williams—65.

Messrs. Brunner, Harrison and Hill voted in the negative.

So the bill passed. The title was agreed to.

S. B. No. 52, to amend section 464 of an act to establish a code of civil procedure, passed March 11, 1853, was read the third time.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 67, nays 4, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Guernsey, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Barrett, Beach, Blake, Boyce, Case, Carnahan, Chapman of Cuyahoga, Cole, Coler, Cooley, Conkright, Eshelman, Faxon, Gordon, Green, Grosvenor, Haag, Harrison, Haven, Hoagland, Hodge, Holloway, Holt, Howland, Huston, Inman, Johnson, Kemp, Light, Loomis, McCoy, McKinley, McLain, Mesloh, Moorehead, Murlin, Myers of Fayette, Neff, Nelson, Newton, Norton, Oren, Pattison, Ram-

say, Ray, Richmond, Robb, Sater, Scott, Sheppard, Sherrick, Stone, Thompson of Montgomery, Tryon, Van Meter, Varley, Vincent, Walker, Watson, Weible, West and Williams—67.

Messrs. Conklin, Heitmann, Herron and Hill voted in the negative.

So the bill passed. The title was agreed to.

S. B. No. 49, supplementary to and explanatory of an act entitled an act for the reorganization and maintenance of common schools, passed May 1, 1873, was read the third time.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 70, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Guernsey, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Barrett, Beach, Blake, Boyce, Case, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Cole, Conklin, Conkright, Eshelman, Faxon, Gordon, Green, Grosvenor, Harrison, Haven, Heitmann, Herron, Hill, Hoagland, Holt, Howland, Huston, Inman, Johnson, Lewis, Light, Loomis, Mann, Martin, McCloud, McKinley, McLain, Morris, Munson, Murlin, Myers of Ashland, Myers of Fayette, Nelson, Newell, Newton, Norton, Oren, Pattison, Poe, Ramsay, Ray, Richards, Richmond, Robb, Sater, Scott, Sherrick, Stone, Thompson of Montgomery, Tryon, Van Meter, Varley, Vincent, Walker, Weible, West and Williams—70.

So the bill passed. The title was agreed to.

S. B. No. 59, to authorize a special term of the district court of Adams county, was read the third time.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 48, nays 27, as follows:

Those who voted in the affirmative were—

Messrs. Baker of Fairfield, Baker of Perry, Barnett, Barrett, Baskin, Beach, Boyce, Brunner, Chapman of Meigs, Cole, Cooley, Conklin, Conkright, Eshelman, Harrison, Haven, Heitmann, Herron, Hill, Hoagland, Howland, Huston, Inman, Kemp, Lewis, Light, Loomis, McCoy, McKinley, Mesloh, Moorehead, Myers of Ashland, Nelson, Newell, Norton, Oren, Pattison, Ray, Robb, Sater, Sheppard, Stone, Thompson of Montgomery, Van Meter, Vincent, Walker. Weible and West—48.

Those who voted in the negative were—

Messrs. Armstrong of Guernsey, Baker of Coshocton, Blake, Case, Carnahan, Chapman of Cuyahoga, Grosvenor, Hodge, Holt, Johnson, Mack, Mann, McCloud, McLain, Morris, Munson, Murlin, Myers of Fayette, Newton, Ramsay, Richards, Richmond, Scott, Sherrick, Varley, Watson and Williams—27.

So the bill, not having received a constitutional majority, was lost.

Mr. Brunner moved that in honor of the memory of St. Patrick, Ireland's patron saint, and to give the members an opportunity of participating with their Irish fellow-citizens of Columbus in the celebration of this day, the House do now adjourn.

On which motion the yeas and nays were demanded, ordered, and resulted—yeas 35, nays 39, as follows:

Those who voted in the affirmative were—

Messrs. Baker of Perry, Baskin, Brunner, Carnahan, Chapman of Cuyahoga, Cooley, Conklin, Faxon, Ford, Herron, Holt, Johnson, Kemp, Lewis, Light, Loomis, Martin, McCoy, Munson, Murlin, Myers of Ashland, Neff, Nelson, Newton, Norton, Oren, Poe, Ramsay, Richmond, Scott, Stone, Varley, Walker, Weible and Williams—35.

Those who voted in the negative were—

Messrs. Armstrong of Guernsey, Baker of Coshocton, Baker of Fairfield, Barrett, Beach, Boyce, Case, Chapman of Meigs, Cole, Conkright, Eshelman, Gordon, Grosvenor, Harrison, Haven, Heitmann, Hill, Hoagland, Hodge, Holloway, Inman, Mack, Mann, McCloud, McKinley, McLain, Mesloh, Morris, Myers of Fayette, Ray, Richards, Robb, Sater, Sherrick, Thompson of Montgomery, Tryon, Van Meter, Vincent and West—39.

So the House refused to adjourn.

On motion of Mr. Hodge, the House took a recess.

HALF-PAST TWO O'CLOCK P.M.

S. B. No. 62, to authorize the board of county commissioners of the county of Franklin, Ohio, to use and apply any unexpended moneys levied and collected upon the duplicate of said county for the erection of a new building for the infirmary of said county, in payment of the interest and principal of the Agricultural and Mechanical College bonds of said county, was read the third time.

Mr. Heitmann demanded a call of the House. Sixty-four members answered to their names.

The absentees were Messrs. Archer, Armstrong of Belmont, Baker of Perry, Bay, Beatty, Boyce, Brooke, Brunner, Case, Coler, Cooley, Eidson, Ford, Geghan, Gordon, Grosvenor, Hardy, Hatfield, Haven, Herron, Howland, Huston, Lewis, Marx, Martin, McCloud, Miller, Newell, Newton, Parker, Pattison, Pearson, Poe, Richmond, Sater, Sherrick, Thompson of Lucas, Weible, West, White and Williams.

The Sergeant-at-Arms was dispatched for absentees.

On motion of Mr. Heitmann, all further proceedings under the call were dispensed with.

The question being "Shall the bill (S. B. No. 62) pass?" the yeas and nays were ordered, and resulted—yeas 60, nays 2, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Guernsey, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Barrett, Baskin, Beach, Bell, Blake, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Cole, Conklin, Conkright, Duncan, Eshelman, Faxon, Gowey, Green, Grosvenor, Haag, Harrison, Heitmann, Hill, Hodge, Holt, Inman, Johnson, Kemp, Lewis, Light, Loomis, Mack, Mann, Martin, McKinley, Mesloh, Morris, Munson, Murlin, Myers of Ashland, Myers of Fayette, Neff, Norton, Oren, Ramsay, Ray, Richards, Robb, Scott, Sheppard, Stone, Thompson of Montgomery, Tryon, Van Meter, Vincent, Walker and Speaker—60.

Messrs. Hoagland and Varley voted in the negative.

So the bill passed. The title was agreed to.

H. B. No. 188, to amend section 2 of an act regulating the mode of administering assignments in trust for the benefit of creditors, passed and took effect April 6, 1859, was read the third time.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 66, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Guernsey, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Baskin, Beach, Bell, Blake, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Cole, Conklin, Conkright, Eshelman, Faxon, Gowey, Green, Grosvenor, Haag, Harrison, Heitmann, Herron,

Hill, Hoagland, Hodge, Holloway, Holt, Inman, Johnson, Kemp, Lewis, Light, Loomis, Mack, Mann, Martin, McCoy, McKinley, McLain, Mesloh, Moorehead, Munson, Murlin, Myers of Ashland, Myers of Fayette, Neff, Norton, Oren, Poe, Ramsay, Ray, Richards, Robb, Scott, Sherrick, Stone, Thompson of Montgomery, Tryon, Van Meter, Varley, Vincent, Walker and Williams—66.

So the bill passed. The title was agreed to.

H. B. No. 117, to amend section 54 of an act passed April 17, 1867, entitled an act to amend sections 49, 53 and 54 of an act entitled an act to provide for the creation and regulation of incorporated companies in the State of Ohio, passed May 1, 1852, and to repeal the sections so hereby amended, was read the third time.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 64, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Guernsey, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Barrett, Baskin, Beach, Bell, Blake, Carnahan, Chapman of Cuyahoga, Cole, Conklin, Conkright, Duncan, Eshelman, Faxon, Green, Grosvenor, Haag, Hatfield, Heitmann, Herron, Hill, Hoagland, Hodge, Holloway, Holt, Huston, Inman, Johnson, Kemp, Lewis, Light, Loomis, Mann, Martin, McCoy, McKinley, McLain, Mesloh, Miller, Moorehead, Morris, Murlin, Myers of Ashland, Myers of Fayette, Neff, Newton, Oren, Pattison, Ramsay, Ray, Richards, Richmond, Robb, Sheppard, Stone, Thompson of Montgomery, Tryon, Vincent, Walker and Williams—64.

So the bill passed. The title was agreed to.

H. B. No. 245, to authorize the trustees of Atwater township, Portage county, to levy a tax for certain purposes therein named, was read the third time.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 53, nays 16, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Guernsey, Baker of Coshocton, Baker of Perry, Barrett, Beach, Bell, Blake, Carnahan, Chapman of Cuyahoga, Cole, Cooley, Conkright, Duncan, Eshelman, Faxon, Gowey, Gordon, Grosvenor, Harrison, Hatfield, Heitmann, Herron, Hill, Hodge, Holloway, Holt, Inman, Johnson, Light, Loomis, Mann, McCoy, McKinley, McLain, Miller, Morris, Munson, Myers of Ashland, Myers of Fayette, Newton, Norton, Oren, Pattison, Ray, Richmond, Robb, Scott, Stone, Thompson of Montgomery, Tryon, Varley, Vincent and Weible—53.

Those who voted in the negative were—

Messrs. Baker of Fairfield, Barnett, Baskin, Conklin, Green, Hoagland, Huston, Kemp, McCloud, Mesloh, Murlin, Newell, Poe, Sherrick, Walker and Williams—16.

So the bill passed. The title was agreed to.

H. B. No. 214, to amend section 1 of an act entitled an act supplementary to an act entitled an act authorizing the appointment of metropolitan police commissioners in cities of the first class having a population less than one hundred thousand inhabitants at the last Federal census, passed April 5, 1866, as amended and supplemented April 7, 1868, and March 11, 1872, and to repeal an act therein named, passed March 29, 1873, was read the third time.

The question being "Shall the bill pass?' the yeas and nays were ordered, and resulted—yeas 44, nays 35, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Guernsey, Baker of Fairfield, Baker of Perry, Barnett, Baskin, Beach, Bell, Boyce, Brunner, Case, Cole, Conklin, Eshelman, Gordon, Green, Haag, Hatfield, Heitmann, Hill, Hoagland, Hodge, Huston, Inman, Kemp, Lewis, McCloud, McCoy, McKinley, Mesloh, Miller, Moorehead, Murlin, Myers of Ashland, Nelson, Norton, Poe, Ray, Robb, Sherrick, Thompson of Montgomery, Walker, Weible, West and Speaker—44.

Those who voted in the negative were—

Messrs. Baker of Coshocton, Barnett, Blake, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Conkright, Duncan, Faxon, Ford, Gowey, Grosvenor, Harrison, Herron, Holloway, Howland, Johnson, Light, Loomis, Mack, Mann, McLain, Myers of Fayette, Neff, Oren, Pattison, Ramsay, Richmond, Scott, Sheppard, Stone, Tryon, Varley, Vincent and Williams —35.

So the bill, having failed to receive a constitutional majority, was lost.

Mr. Pattison submitted the following report:

The joint committee on Enrollment have examined, and found correctly enrolled, the following bill and joint resolution:

S. B. No. 12: To amend and extend the provisions of an act passed March 10, 1873, entitled an act supplemental to an act entitled an act to provide for the creation and regulation of incorporated companies in the State of Ohio, passed May 1, 1852.

S. J. R. No. 24: Directing the delivery to the Agricultural and Mechanical College certain geological specimens in possession of the State Librarian.

J. C. FISHER, H. M. CHAPMAN,
A. M. BURNS, B. NEFF,
S. KNOX, J. M. PATTISON.
O. B. CHAPMAN,

The Speaker, in the presence of the House, signed said bill and joint resolution.

H. B. No. 216, relating to the infirmary of Ashland county, was read the third time.

On motion of Mr. Myers of Ashland, said bill was recommitted to a select committee of one—Mr. Myers of Ashland—with instructions to amend as follows: Insert after the word "to," in line eight, the following: "sell the present infirmary and carry out the provisions of sections 2, 3 and 4 of this act."

H. B. No. 35, to protect land-holders, was read the third time.

Mr. Richmond moved to recommit the bill to a select committee of one, with instructions to amend as follows: In section 1, line three, after the word "another," insert "excepting the marsh lands of Lake Erie, which are overflowed by water during any portion of the year."

Mr. Gowey moved to amend the instructions as follows: In section 1, line 7, after the word "———," insert the following: "Providing such land-owner or owners, guardians or wards, or person or persons having control thereof shall first give notice by erecting and maintaining a sign-board at least one foot square on the premises, on which sign-board shall be legibly painted the words 'It is forbidden to shoot upon these premises.'"

Mr. McCoy moved to amend the amendment as follows: Strike out the words "it is forbidden to shoot upon these premises," and insert "Beware of poison."

On which motion the yeas and nays were demanded, ordered, and resulted—yeas 8, nays 65, as follows:

Those who voted in the affirmative were—

Messrs. Baker of Perry, Beach, Case, Chapman of Cuyahoga, Cooley, Eshelman, Johnson and McCoy—8.

Those who voted in the negative were—

Messrs. Armstrong of Guernsey, Baker of Coshocton, Baker of Fairfield, Barnett, Barrett, Baskin, Blake, Boyce, Carnahan, Chapman of Meigs, Cole, Conklin, Conkright, Faxon, Ford, Gowey, Green, Grosvenor, Harrison, Haven, Herron, Hoagland, Hodge, Holloway, Howland, Huston, Kemp, Lewis, Light, Loomis, Mack, Mann, Martin, McCloud, McKinley, McLain, Mesloh, Morris, Munson, Murlin, Myers of Ashland, Myers of Fayette, Neff, Nelson, Newell, Newton, Norton, Oren, Pattison, Poe, Ramsay, Richmond, Sater, Scott, Sheppard, Sherrick, Stone, Thompson of Montgomery, Tryon, Van Meter, Varley, Vincent, Walker, Weible and West—65.

So the amendment to the amendment was lost.

The question then recurring upon the amendment to the instructions as offered by Mr. Gowey, the yeas and nays were demanded, ordered, and resulted—yeas 17, nays 43, as follows:

Those who voted in the affirmative were—

Messrs. Baker of Perry, Beach, Blake, Ford, Gowey, Gordon, Grosvenor, Johnson, Lewis, Myers of Ashland, Newell, Norton, Pattison, Scott, Sheppard, Van Meter and Williams—17.

Those who voted in the negative were—

Messrs. Armstrong of Guernsey, Baker of Coshocton, Baker of Fairfield, Barnett, Baskin, Boyce, Carnahan, Chapman of Meigs, Cole, Conklin, Conkright, Eshelman, Faxon, Green, Harrison, Haven, Heitmann, Hill, Holloway, Howland, Huston, Inman, Kemp, Light, Mann, McCoy, McKinley, Mesloh, Morris, Myers of Fayette, Neff, Nelson, Ramsay, Ray, Richards, Richmond, Robb, Sater, Stone, Varley, Walker, Weible and West—43.

So the amendment to the instructions was not agreed to.

Mr. Morris moved to amend the instructions as follows:

After the word "kill," in section 1, line 4, strike out the word "or." Also, in the same line and section, before the word "pursue," strike out the word "to."

Which was disagreed to.

The question then recurring on the motion of Mr. Richmond to recommit to a select committee of one, with instructions, the yeas and nays were demanded, ordered, and resulted—yeas 13, nays 47, as follows:

Those who voted in the affirmative were—

Messrs. Baker of Perry, Blake, Chapman of Cuyahoga, Ford, Gordon, Haven, Hodge, Holt, Johnson, Loomis, Mack, Myers of Ashland, Myers of Fayette, and Richmond—13.

Those who voted in the negative were—

Messrs. Baker of Fairfield, Barnett, Barrett, Baskin, Beach, Boyce, Carnahan, Cole, Conklin, Conkright, Faxon, Gowey, Green, Grosvenor, Harrison, Heitmann, Hill, Hoagland, Huston, Inman, Kemp, Lewis, Light, Mann, McCoy, McKinley, Moorehead, Morris, Munson, Nelson, Newell, Norton, Oren, Poe, Ray, Richards, Robb, Sater, Scott, Sheppard, Stone, Thompson of Montgomery, Varley, Vincent, Walker, Weible and West—47.

So the motion to recommit was disagreed to.

Mr. Blake then moved to recommit the bill to a select committee of one, with instructions to amend as follows:

Add at the end of section 1 the words, "Provided, nothing in this section shall be construed to prevent hunting or pursuing foxes when the ground is covered with snow."

Which was disagreed to.

Mr. Van Meter moved to refer the bill to a select committee of one, with instructions to amend as follows:

Strike out the words "wild game," in line 4, and insert "horses, cattle, sheep, hogs, or any other domestic animal."

Which was disagreed to.

Mr. Gordon moved to refer the bill to a select committee of one, with instructions to amend as follows:

Add to line 6, section 1, after the word "thereof," that it shall be unlawful for any person not a land-owner to own or keep in his dwelling a rifle or rifles, shot gun or shot guns, or a pointer, setter, cur, hound, or common yaller dog."

On which motion the yeas and nays were demanded, ordered, and resulted—yeas 18, nays 56, as follows:

Those who voted in the affirmative were—

Messrs. Baker of Perry, Beach, Bell, Case, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Gordon, Grosvenor, Haag, Harrison, Holloway, Holt, Johnson, Munson, Murlin, Norton and Van Meter—18.

Those who voted in the negative were—

Messrs. Armstrong of Guernsey, Baker of Coshocton, Baker of Fairfield, Barnett, Barrett, Baskin, Blake, Boyce, Cole, Conklin, Conkright, Eshelman, Faxon, Ford, Gowey, Green, Haven, Heitmann, Hill, Hodge Howland, Huston, Kemp, Lewis, Light, Loomis, Mack, Mann, Martin, McCoy, McKinley, McLain, Mesloh, Moorehead, Morris, Myers of Ashland, Myers of Fayette, Neff, Nelson, Newell, Newton, Oren, Pattison, Ray, Richards, Richmond, Robb, Scott, Stone, Thompson of Montgomery, Tryon, Varley, Vincent, Walker, Weible and West—56.

So the motion to recommit was lost.

The question then being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 51, nays 33, as follows:

Those who voted in the affirmative were—

Messrs. Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Barrett, Baskin, Beatty, Blake, Case, Cole, Conklin, Conkright, Eshelman, Faxon, Ford, Gowey, Harrison, Hatfield, Haven, Heitmann, Herron, Hill, Huston, Inman, Kemp, Light, Loomis, Mack, Mann, McCoy, McKinley, McLain, Morris, Myers of Fayette, Neff, Nelson, Oren, Ramsay, Ray, Richards, Richmond, Robb, Sater, Scott, Stone, Thompson of Montgomery, Tryon, Varley, Walker, Weible and West—51.

Those who voted in the negative were—

Messrs. Armstrong of Guernsey, Beach, Bell, Boyce, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Duncan, Gordon, Green, Grosvenor, Herron, Hoagland, Hodge, Holloway, Holt, Howland, Johnson, Lewis, Martin, McCloud, Mesloh, Moorehead, Murlin, Newton, Norton, Pattison, Poe, Sheppard, Sherrick, Van Meter, Vincent and Watson—33.

So the bill, having failed to receive a constitutional majority, was lost.

Mr. Vincent moved to suspend the rule for the purpose of offering a resolution.

Which was disagreed to.

Mr. Lewis moved that the House do now take a recess until to-morrow morning at half-past nine o'clock.

Mr. Gowey moved that the House do now adjourn.

Which motion was disagreed to.

The motion of Mr. Lewis was then agreed to, and the House took a recess until half-past nine o'clock A.M. to-morrow.

WEDNESDAY, MARCH 18, 1874—9½ o'clock A.M.

The House met pursuant to recess.

Prayer by Rev. John Baker.

H. B. No. 184, to provide for the safe-keeping of public funds, and amendatory of an act entitled an act to establish the independent treasury of the State of Ohio, passed April 12, 1858, was read the third time.

Mr. Beatty moved to recommit the bill to a select committee of one, with instructions to amend as follows: In section 2, line four, strike out the words "or in an adjoining county;" and in lines five and six strike out the words "is hereby required to," and insert in lieu thereof the word "may."

Which was disagreed to.

Mr. Barrett moved to recommit said bill to a select committee of one, with instructions to amend as follows: In section 3, line three, insert after the word "sureties," the words "who are in no way interested in the business of banking."

Which was disagreed to.

The question then being "Shall the bill (H. B. No. 184) pass?" the yeas and nays were ordered, and resulted—yeas 11, nays 76, as follows:

Those who voted in the affirmative were—

Messrs. Blake, Coler, Ford, Grosvenor, Loomis, Marx, McLain, Myers of Fayette, Nelson, Richards and Tryon—11.

Those who voted in the negative were—

Messrs. Archer, Armstrong of Belmont, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Barrett, Baskin, Bay, Beach, Beatty, Bell, Boyce, Brooke, Brunner, Case, Carnahan, Chapman of Meigs, Cole, Cooley, Conklin, Conkright, Duncan, Eshelman, Gowey, Green, Hardy, Harrison, Hatfield, Haven, Heitmann, Herron, Hill, Hoagland, Hodge, Holloway, Holt, Howland, Huston, Inman, Johnson, Kemp, Lewis, Mack, Mann, McCloud, McCoy, McKinley, Mesloh, Miller, Moorehead, Morris, Murlin, Myers of Ashland, Neff, Newell, Norton, Oren, Pattison, Pearson, Poe, Richmond, Robb, Sater, Scott, Sheppard, Sherrick, Stone, Thompson of Montgomery, Van Meter, Varley, Vincent, Walker, Watson, Weible and West—76.

So the bill failed to pass.

Mr Morris submitted the following report:

The committee on Revision have examined, and found correctly engrossed, House Bills Nos. 175, 186, 71, 226, 79, 185, and amendment to S. B. No. 10.

JON. MORRIS, JOHNSON SHERRICK,
WILLIAM M. MCKINLEY, GEO. W. BOYCE.
ORVIL BLAKE,

On motion of Mr. Eshelman, H. B. No. 175, making appropriations for the fiscal year 1874, and the first quarter of the fiscal year 1875, was taken from the table, and read the third time.

Mr. Chapman of Cuyahoga moved to recommit the bill to a select committee of one, with instructions to amend as follows: After line 125, section 1, insert: "For the per diem of the members, officers and employes of the Constitutional Convention, fifty-two thousand dollars."

On which motion the yeas and nays were demanded, ordered, and resulted—yeas 30, nays 58, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Barrett, Bay, Blake, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Faxon, Harrison, Herron, Hodge, Holloway, Johnson, Loomis, Mack, Mann, Martin, McLain, Munson, Myers of Fayette, Neff, Oren, Ramsay, Richards, Scott, Stone, Tryon, Varley and Vincent—30.

Those who voted in the negative were—

Messrs. Archer, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Baskin, Beach, Beatty, Bell, Boyce, Brooke, Brunner, Case, Cole, Coler, Conklin, Eshelman, Gordon, Green, Grosvenor, Haag, Hardy, Hatfield, Haven, Heitmann, Hill, Hoagland, Holt, Huston, Inman, Kemp, Lewis, Light, McCloud, McCoy, McKinley, Mesloh, Miller, Moorehead, Morris, Murlin, Myers of Ashland, Nelson, Norton, Pattison, Pearson, Poe, Richmond, Robb, Sater, Sheppard, Sherrick, Thompson of Montgomery, Van Meter, Walker, Watson, Weible, West and White—58.

So the motion to recommit was disagreed to.

The question then being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 73, nays 14, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Baskin, Beach, Beatty, Bell, Boyce, Brooke, Brunner, Case, Cole, Coler, Cooley, Conklin, Conkright, Duncan, Eshelman, Gordon, Green, Haag, Hardy, Harrison, Hatfield, Haven, Heitmann, Herron, Hill, Hoagland, Howland, Huston, Inman, Johnson, Kemp, Lewis, Light, Mack, McCloud, McCoy, McKinley, McLain, Mesloh, Miller, Moorehead, Morris, Munson, Murlin, Myers of Ashland, Neff, Nelson, Newell, Norton, Pattison, Pearson, Poe, Ray, Richmond, Robb, Sater, Sheppard, Sherrick, Stone, Thompson of Montgomery, Tryon, Van Meter, Varley, Vincent, Walker, Watson and Weible—73.

Those who voted in the negative were—

Messrs. Bay, Blake, Carnahan, Chapman of Cuyahoga, Grosvenor, Hodge, Holloway, Loomis, Mann, Myers of Fayette, Oren, Scott, West and White—14.

So the bill passed. The title was agreed to.

Mr. Armstrong of Guernsey moved that the vote whereby H. B. No. 35 was lost be reconsidered.

On which motion the yeas and nays were demanded, ordered, and resulted—yeas 58, nays 26, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Guernsey, Baker of Coshocton, Baker of Fairfield, Barnett, Barrett, Baskin, Beatty, Bell, Blake, Brooke, Cole, Coler, Cooley, Conklin, Conkright, Duncan, Eshelman, Faxon, Green, Hardy, Harrison, Haven, Heitmann, Hill, Hoagland, Holloway, Huston, Inman, Kemp, Light, Loomis, Mann, McCoy, McKinley, Mesloh, Miller, Moorehead, Morris, Myers of Fayette, Nelson, Newton, Oren, Ramsay, Richards, Richmond, Sater, Scott, Stone, Thompson of Montgomery, Tryon, Van Meter, Varley, Walker, Weible, West, White and Williams —58.

Those who voted in the negative were—

Messrs. Baker of Perry, Beach, Brunner, Case, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Gordon, Grosvenor, Haag, Hatfield, Hodge, Holt, Howland, Johnson, Lewis, Marx, Martin, Munson, Murlin, Neff, Norton, Poe, Sheppard and Sherrick—26.

So the motion to reconsider was agreed to.

Mr. Harrison moved that the bill be recommitted to a select committee of one, with instructions to amend as follows: In line two strike out "inclosed premises or," and insert "improved" instead thereof.

On motion of Mr. Haag, the House took a recess.

HALF-PAST TWO O'CLOCK P.M

The House resumed the consideration of H. B. No. 35.

Mr. Grosvenor moved to substitute for instructions offered by Mr. Harrison: In line three, section 1, after the word "another," insert the words "other than uncleared pasture, wood or timber land."

Which was disagreed to.

Mr. Thompson of Montgomery moved to amend the instructions as follows: At the end of line five add, "provided, that nothing herein contained shall be interpreted to prevent the hunting of coons"

Which was disagreed to.

The motion of Mr. Harrison to recommit said bill to a select committee of one, with instructions to amend, was agreed to, and Mr. Harrison was appointed said committee.

Mr. Scott moved to suspend the rules of the House for the purpose of making a report from a standing committee.

Which was agreed to.

Mr. Scott submitted the following report:

The committee on Judiciary, to whom was referred S. B. No. 8, to amend section 543 of the act to provide for the organization and government of municipal corporations, passed May 7, 1869, and as amended May 2, 1871, having had the same under consideration, report it back, and recommend that the Senate amendment to House amendment be concurred in.

J. Scott,	C. C. Archer,
J. M. Haag,	W. P. Howland,
Wm. W. Beatty,	T. M. Robb.

The question being on agreeing to the Senate amendment to the House amendment, the yeas and nays were ordered, and resulted—yeas 64, nays 4, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Armstrong of Guernsey, Baker of Fairfield, Barnett, Baskin, Beach, Beatty, Blake, Boyce, Brooke, Case, Carnahan, Cole, Coler, Conklin, Conkright, Eshelman, Faxon, Gordon, Haag, Hardy, Harrison, Hatfield, Heitmann, Hill, Holt, Huston, Johnson, Kemp, Lewis, Loomis, Mack, Mann, Marx, Martin, McCloud, McCoy, McKinley, McLain, Mesloh, Miller, Moorehead, Morris, Munson, Murlin, Myers of Ashland, Myers of Fayette, Neff, Nelson, Newton, Oren, Pattison, Pearson, Ray, Robb, Sater, Scott, Sherrick, Stone, Thompson of Montgomery, Tryon, Walker and Weible—64.

Messrs. Grosvenor, Hodge, Howland and West voted in the negative.

So the amendment was agreed to.

Mr. Sherrick moved a reconsideration of the vote whereby S. B. No. 59 was lost.

Which was agreed to.

On motion of Mr. McCoy, a message was sent to the Senate requesting the return of said bill.

H. B. No. 251, supplementary to the several acts relating to the collection of delinquent taxes, was read the third time.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 64, nays 17, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Armstrong of Guernsey, Baker of Coshocton, Barrett, Baskin, Beach, Blake, Boyce, Brunner, Case, Carnahan, Cole, Cooley, Conklin, Conkright, Duncan, Eshelman, Faxon, Gordon, Green, Grosvenor, Haag, Hardy, Hatfield, Heitmann, Herron, Hill, Holloway, Holt, Howland, Huston, Inman, Johnson, Kemp, Lewis, Loomis, McCloud, McCoy, McKinley, Mesloh, Miller, Moorehead, Murlin, Myers of Ashland, Neff, Nelson, Newell, Newton, Norton, Oren, Pattison, Pearson, Richards, Robb, Sater, Scott, Sherrick, Vincent, Walker, Weible, West, White and Williams—67.

Those who voted in the negative were—

Messrs. Baker of Fairfield, Barnett, Bell, Brooke, Chapman of Meigs, Gowey, Harrison, Hoagland, Mann, McLain, Morris, Myers of Fayette, Richmond, Stone, Van Meter, Varley and Watson—17.

So the bill passed. The title was agreed to.

H. B. No. 249, to authorize boards of education to purchese text-books, was read the third time.

Mr. Oren moved to recommit the bill to a select committee of one, with instructions to amend as follows: At the end of section 1 add: "and the various boards of education are also authorized, at their discretion, to furnish to such patrons of the schools under their control as in the opinion of said board are unable to purchase the same, such text-books as they may be required to use in their schools, free of charge."

Which was agreed to; and Mr. Oren was appointed said committee.

H. B. No. 217, to amend section 141 of an act entitled an act to provide for the organization and government of municipal corporations, passed May 7, 1869, was read the third time.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 77, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Armstrong of Guernsey, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Barret, Beach, Beatty, Bell, Blake, Boyce, Brooke, Brunner, Case, Carnahan, Chapman of Meigs, Cole, Coler, Cooley, Duncan, Eshelman, Faxon, Ford, Gowey, Gordon, Green, Grosvenor, Haag, Hardy, Harrison, Hatfield, Heitmann, Herron, Hoagland, Hodge, Holt, Howland, Huston, Inman, Johnson, Kemp, Light, Loomis, Mack, Mann, Marx, McCoy, McKinley, McLain, Mesloh, Munson, Myers of Ashland, Myers of Fayette, Neff, Nelson, Newell, Newton, Pattison, Pearson, Ray, Richards, Richmond, Robb, Sater, Scott, Sheppard, Stone, Thompson of Montgomery, Tryon, Van Meter, Vincent, Walker, Watson, Weible and Williams—77.

So the bill passed. The title was agreed to.

Mr. Light moved that the vote by which H. B. No. 214 was lost be reconsidered.

On which motion the yeas and nays were demanded, ordered, and resulted—yeas 47, nays 26, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Beach, Bell, Boyce, Brooke, Brunner, Case, Cole, Conklin, Eshelman, Gordon, Green, Haag, Hatfield, Heitmann, Hill, Hoagland, Hodge, Holt, Huston, Inman, Kemp, Lewis, Light, Marx, McCloud, McCoy, McKinley, Mesloh, Morris, Myers of Ashland, Nelson, Newell, Newton, Oren, Pearson, Ray, Robb, Sater, Thompson of Montgomery, Van Meter, Walker and Weible—47.

Those who voted in the negative were—

Messrs. Armstrong of Belmont, Barrett, Beatty, Blake, Carnahan, Chapman of Cuyahoga, Cooley, Conkright, Duncan, Ford, Gowey, Harrison, Herron, Howland, Loomis, Mann, Martin, McLain, Munson, Myers of Fayette, Neff, Richmond, Scott, Tryon, Varley and Williams–26.

So the motion was agreed to.

Mr. Mesloh demanded a call of the House. Ninety-eight members answered to their names.

The absentees were Messrs. Baskin, Eidson, Geghan, Haven, Parker, Thompson of Lucas, and White.

The Sergeant-at-Arms was dispatched for absentees.

On motion of Mr. Oren, all further proceedings under the call were dispensed with.

The question then being "Shall the bill pass?"

Mr. Hodge moved to commit the bill to a select committee of one, with instruction to amend as follows:

"No change shall be made under this act in the present members of the police department except for inefficiency, incompetency, permanent disability or violation of the rules and regulations of said board, nor shall any person be removed on account of his religious or political views."

On which motion the yeas and nays were demanded, ordered, and resulted—yeas 25, nays 57, as follows:

Those who voted in the affirmative were—

Messrs. Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Conkright, Ford, Gowey, Harrison, Haven, Hodge, Holloway, Holt, Johnson, Loomis, Marx, McLain, Miller, Myers of Fayette, Poe, Ramsay, Ray, Richards, Scott, Tryon, Varley and Vincent—25.

Those who voted in the negative were—

Messrs. Archer, Armstrong of Belmont, Armstrong of Guernsey, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Baskin, Beach, Bell, Boyce, Brooke, Brunner, Case, Cole, Conklin, Eshelman, Gordon, Green, Grosvenor, Haag, Hardy, Hatfield, Heitmann, Hoagland, Howland, Huston, Inman, Kemp, Lewis, Light, Mack, McCloud, McCoy, McKinley, Mesloh, Moorehead, Murlin, Myers of Ashland, Nelson, Newell, Newton, Norton, Oren, Pearson, Richmonnd, Robb, Sater, Sheppard, Sherrick, Stone, Thompson of Montgomery, Van Meter, Walker, Weible, West and White—57.

So the motion was disagreed to.

The question being "Shall H. B. No. 214 pass?" the yeas and nays were ordered, and resulted—yeas 58, nays 36, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Baskin, Beach, Bell, Boyce, Brooke, Brunner, Case, Cole, Cooley, Conklin, Eshelman, Gordon, Green, Haag, Hardy, Hatfield, Heitmann,

Hill, Hoagland, Hodge, Holt, Huston, Inman, Kemp, Lewis, Light, Marx, McCloud, McCoy, McKinley, Mesloh, Miller, Moorehead, Murlin, Myers of Ashland, Nelson, Newell, Newton, Norton, Pearson, Poe, Ray, Robb, Sater, Sherrick, Thompson of Montgomery, Van Meter, Walker, Watson, Weible, West, White and Speaker—58.

Those who voted in the negative were—

Messrs. Armstrong of Belmont, Beatty, Blake, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Conkright, Duncan, Faxon, Ford, Gowey, Grosvenor, Harrison, Haven, Herron, Holloway, Howland, Johnson, Loomis, Mack, Mann, Martin, McLain, Myers of Fayette, Neff, Oren, Pattison, Richards, Richmond, Scott, Sheppard, Stone, Tryon, Varley, Vincent and Williams—36.

So the bill passed.

On motion of Mr. Heitmann, the title was amended by striking out the words "section one of," and inserting the words "supplementary to."

The title, as amended, was then agreed to

The Speaker laid before the House the following communications:

From the President of the Board of Public Works in answer to House Resolutions Nos. 84 and 79, and from the President of the Board of Trustees of the Northern Lunatic Asylum in answer to H. R. No. 83.

On motion of Mr. Haag, said communications were laid on the table and ordered to be printed.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has concurred in the passage of H. B. No. 166, authorizing the creation of an additional sub-school district in Madison township, Columbiana county, after amending the same as follows:

In section 1, line 3, insert the word "and" between the words "sixteen" and "seventeen."

In line 5, same section, after the word "nineteen," strike out the word "seventy," and insert the word "twenty."

In the same line, after the word "and," strike out the word "seventy-one," and insert the word "twenty-one."

In section 2, line 8, after the word "years," insert the words "from the third Monday of April, 1874."

In section 2, line 9, after the word "qualified," insert the words "in accordance with section 27 of an act for the reorganization and maintenance of common schools, passed May 1, 1873."

In which the concurrence of the House of Representatives is requested.

Attest: S. K. DONAVIN, *Clerk.*

The question being on agreeing to the Senate amendments, the yeas and nays were ordered, and resulted—yeas 72, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Armstrong of Guernsey, Baker of Coshocton, Baker of Fairfield, Barnett, Barrett, Beach, Beatty, Blake, Boyce, Brooke, Brunner, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Cole, Cooley, Conkright, Duncan, Eshelman, Faxon, Green, Grosvenor, Hardy, Harrison, Hatfield, Heitmann, Herron, Hill, Hodge, Holloway, Holt, Inman, Johnson, Kemp, Lewis, Light, Mack, Mann, Martin, McCloud, McCoy, McKinley, McLain, Mesloh, Moorehead, Morris, Murlin, Myers of Ashland, Myers of Fayette, Nelson, Oren, Pattison, Poe, Ramsay, Ray, Richards, Richmond, Robb, Sherrick, Stone, Thompson of Mont-

gomery, Tryon, Van Meter, Varley, Vincent, Walker, Weible, West, White and Williams—72.

So the amendments were agreed to.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has concurred in the passage of the following bills:

H. B. No. 209: To authorize the filling of vacancies in the boards of trustees of townships.

H. B. No. 239: Supplementary to an act entitled an act to authorize the board of education of the special school district of the village of Caledonia, Claridon township, Marion county, Ohio, to issue bonds and borrow money.

H. B. No. 74: To amend section 2 of an act entitled an act supplementary to an act entitled an act to preserve the purity of elections, passed May 5, 1868.

H. B. No. 178: To transfer Shelby county from the first sub-division of the third judicial district to the second sub-division of said district.

H. B. No. 198: To authorize the creation of a special school district in Royalton township, Fulton county, Ohio.

Attest: S. K. DONAVIN, *Clerk.*

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has adopted the following joint resolution, in which the concurrence of the House of Representatives is requested:

S. J. R. No. 31—By Mr. Newman: Determining on a day on which to adjourn.

Attest: S. K. DONAVIN, *Clerk.*

Mr. Sherrick moved to amend the resolution as follows: Strike out the "1st day of December, 1874," and insert "5th day of January, 1875."

Mr. Haag moved to refer the resolution and amendment to the committee on Retrenchment.

On which motion the yeas and nays were ordered, and resulted—yeas 7, nays 84, as follows:

Those who voted in the affirmative were—

Messrs. Baker of Fairfield, Case, Gordon, Haag, McCoy, West and White—7.

Those who voted in the negative were—

Messrs. Archer, Armstrong of Belmont, Armstrong of Guernsey, Baker of Coshocton, Barnett, Barrett, Baskin, Beach, Beatty, Bell, Blake, Boyce, Brooke, Brunner, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Cole, Coler, Cooley, Conklin, Conkright, Duncan, Eshelman, Faxon, Ford, Gowey, Green, Grosvenor, Hardy, Harrison, Hatfield, Heitmann, Herron, Hill, Hoagland, Hodge, Holloway, Holt, Howland, Huston, Inman, Johnson, Kemp, Lewis, Light, Loomis, Mack, Mann, Marx, Martin, McCloud, McKinley, McLain, Mesloh, Miller, Murlin, Myers of Ashland, Myers of Fayette, Neff, Nelson, Newell, Oren, Pattison, Pearson, Poe, Ray, Richards, Richmond, Robb, Sater, Scott, Sheppard, Sherrick, Stone, Thompson of Montgomery, Tryon, Van Meter, Varley, Vincent, Walker, Watson, Weible and Williams—84.

So the motion was lost.

The question then being on the amendment offered by Mr. Sherrick, the yeas and nays were demanded, ordered, and resulted—yeas 23, nays 66, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Barrett, Baskin, Boyce, Case, Coler, Conklin, Gordon, Green, Haag, Hardy, Heitmann, Loomis, Marx, Mesloh, Moorehead, Murlin, Robb, Scott, Sheppard, Sherrick, Walker and Weible—23.

Those who voted in the negative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Baker of Fairfield, Barnett, Bay, Beach, Beatty, Bell, Brooke, Brunner, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Cole, Cooley, Conkright, Eshelman, Faxon, Ford, Gowey, Gordon, Grosvenor, Harrison, Herron, Hill, Hoagland, Hodge, Holloway, Holt, Howland, Huston, Inman, Johnson, Kemp, Lewis, Light, Mann, Martin, McCloud, McKinley, Miller, Morris, Myers of Ashland, Myers of Fayette, Neff, Nelson, Newell, Oren, Pattison, Pearson, Poe, Ramsay, Ray, Richards, Richmond, Robb, Sater, Stone, Thompson of Montgomery, Tryon, Van Meter, Varley, Vincent, Watson, West, White and Williams—66.

So the amendment was disagreed to.

Mr. McCoy moved to refer the resolution to the committee on Finance.

On which motion the yeas and nays were demanded, ordered, and resulted—yeas 10, nays 72, as follows:

Those who voted in the affirmative were—

Messrs. Case, Gordon, Haag, Heitmann, Huston, McCoy, Mesloh, Robb, Walker, Weible and West—10.

Those who voted in the negative were—

Messrs. Archer, Armstrong of Belmont, Armstrong of Guernsey, Baker of Fairfield, Barnett, Barrett, Baskin, Bay, Beach, Beatty, Bell, Boyce, Brooke, Brunner, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Cole, Coler, Cooley, Conklin, Conkright, Duncan, Eshelman, Faxon, Ford, Gowey, Green, Grosvenor, Hardy, Harrison, Herron, Hill, Hoagland, Hodge, Holloway, Holt, Howland, Inman, Johnson, Kemp, Lewis, Light, Loomis, Mack, Mann, Marx, Martin, McCloud, McLain, Miller, Morris, Murlin, Myers of Fayette, Neff, Nelson, Newton, Oren, Pattison, Poe, Ray, Richards, Richmond, Sater, Scott, Sherrick, Stone, Thompson of Montgomery, Van Meter, Varley, Vincent and Watson—72.

So the motion was disagreed to.

Mr. Beach demanded the previous question, which was duly seconded and sustained.

The question being on the adoption of the resolution, the yeas and nays were ordered, and resulted—yeas 83, nays 9, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Armstrong of Guernsey, Baker of Coshocton, Baker of Fairfield, Barnett, Barrett, Baskin, Bay, Beach, Beatty, Blake, Boyce, Brooke, Brunner, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Cole, Coler, Cooley, Conklin, Conkright, Duncan, Eshelman, Faxon, Ford, Gowey, Green, Grosvenor, Hardy, Harrison, Hatfield, Heitmann, Herron, Hill, Hoagland, Hodge, Holloway, Howland, Inman, Johnson, Kemp, Lewis, Light, Loomis, Mack, Mann, Marx, Martin, McCloud, McKinley, McLain, Mesloh, Miller, Moorehead, Morris, Murlin, Myers of Ashland, Myers of Fayette, Neff, Nelson, Newell, Oren, Pattison, Pearson, Poe, Ray, Richards, Richmond, Robb, Sater, Scott, Sheppard, Sherrick, Stone, Thompson of Montgomery, Tryon, Van Meter, Varley, Vincent, Watson and Weible—83.

Those who voted in the negative were—

Messrs. Bell, Case, Gordon, Haag, Huston, McCoy, Walker, West and White—9.

So the resolution was adopted.

Mr. Holt moved to reconsider the vote whereby the resolution was adopted.

Which was disagreed to.

Mr. Sater moved that the House do now take a recess until half-past seven o'clock this evening.

Mr. Ford moved that the House do now adjourn.

On which motion the yeas and nays were demanded, ordered, and resulted—yeas 57, nays 32, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Armstrong of Guernsey, Baker of Coshocton, Barrett, Bay, Blake, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Coler, Cooley, Conkright, Duncan, Faxon, Ford, Gowey, Gordon, Grosvenor, Haag, Hardy, Harrison, Hatfield, Herron, Hodge, Holloway, Holt, Howland, Huston, Johnson, Kemp, Loomis, Mack, Mann, Marx, Martin, McLain, Munson, Murlin, Myers of Fayette, Neff, Newell, Newton, Pearson, Ramsay, Ray, Richards, Richmond, Scott, Sheppard, Stone, Tryon, Varley, Vincent, Walker, West and White—57.

Those who voted in the negative were—

Messre. Baker of Fairfield, Barnett, Baskin, Beatty, Bell, Boyce, Brooke, Brunner, Case, Cole, Conklin, Eshelman, Green, Haven, Heitmann, Hoagland, Light, McCoy, McKinley, Mesloh, Miller, Myers of Ashland, Neff, Nelson, Oren, Pattison, Poe, Robb, Sater, Sherrick, Thompson of Montgomery, Van Meter and Watson—32.

So the motion was agreed to, and the House adjourned.

Attest: THOMAS COUGHLIN, *Clerk.*

THURSDAY, MARCH 19, 1874—10 o'clock A.M.

The House met pursuant to adjournment.

Prayer by Rev. Chas. H. Kellogg.

The Journal of Tuesday and Wednesday was read and approved.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has passed the following bills, in which the concurrence of the House of Representatives is requested:

S. B. No. 74—By Mr. Thompson: Prescribing the rate of State taxes, and to repeal an act therein named.

S. B. No. 127—By Mr. Buell: To amend section 6 of an act entitled an act to prevent cruelty to animals, passed April 4, 1871. (O. L., Vol. 68, p. 54.)

S. B. No. 122—By Mr. Ferrall: To amend section 1 of an act entitled an act to regulate the compensation of sheriffs for keeping and providing for prisoners in jail, and to repeal certain acts therein named, passed March 13, 1866. (S. & S., p. 366.)

Attest: S. K. DONAVIN, *Clerk.*

Said bills were read the first time.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate requests the return of H. B. No. 198, to authorize the creation of a special school district in Royalton township, Fulton county,

Ohio; the vote by which the Senate passed said bill having been reconsidered.

Attest: S. K. DONAVIN, *Clerk.*

On motion of Mr. Brunner, the request of the Senate was acceded to.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has concurred in the adoption of H. J. R. No. 34, relative to boxing and shipping of reports for members.

Attest: S. K. DONAVIN, *Clerk.*

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has concurred in the passage of H. B. No. 32, to authorize the trustees of Seneca township, Monroe county, Ohio, to levy a tax to pay bounties to certain volunteers.

Attest: S. K. DONAVIN, *Clerk.*

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate accedes to the request of the House of Representatives for the return of S. B. No. 59, to authorize a special term of the district court of Adams county, and herewith returns said bill.

Attest: S. K. DONAVIN, *Clerk.*

On motion of Mr. West, said bill was laid on the table.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has passed the following bills, in which the concurrence of the House of Representatives is requested:

S. B. No. 90—By Mr. Burton: To amend sections 1 and 2 of an act entitled an act to amend an act entitled an act to regulate the standard per bushel of stone coal and the measure of cord wood (S. & S., p. 927), and to renumber section 3 and repeal sections 1 and 2, passed April 29, 1872. (69 O. L., 188.)

S. B. No. 102—By Mr. Worthington: To organize a board of commissioners for the construction of the Central Lunatic Asylum.

Attest: S. K. DONAVIN, *Clerk.*

Said bills were read the first time.

Mr. Chapman of Cuyahoga submitted the following report:

The joint committee on Enrollment have examined, and found correctly enrolled, the following bills:

H. B. No. 56: For the protection of buoys in the State of Ohio.

H. B. No. 282: To change the time fixed for holding the district court for the year 1874 in Logan county.

H. M. CHAPMAN, B. NEFF,
J. M. PATTISON, J. C. FISHER,
O. B. CHAPMAN, A. M. BURNS,
L. A. BRUNNER, S. KNOX.

The Speaker, in the presence of the House, signed said bills.

Mr. Blake submitted the following report:

The committee on Revision have examined, and found correctly engrossed, House Bills Nos. 130, 157, 272, 191 and 235.

WILLIAM M. MCKINLEY, JOHNSON SHERRICK,
ORVIL BLAKE, GEO. W. BOYCE.

Mr. Harrison, on leave, submitted the following report:

The select committee of one to whom was referred H. B. No. 35, to protect land-holders, reports the same back, amended as instructed.

T. J. HARRISON.

Mr. Baker of Fairfield, on leave, presented the petition of George S. Reichelderfer and 200 other citizens of Fairfield county, for the passage of H. B. No. 35, to protect land-owners.

Which was referred to the committee on Agriculture.

Mr. White demanded a call of the House, and eighty members answered to their names.

The absentees were Messrs. Bell, Chapman of Meigs, Geghan, Gordon, Grosvenor, Haag, Haven, Hill, Hoagland, Martin, McCoy, Newell, Parker, Scott, Thompson of Lucas, and Weible.

The Sergeant-at-Arms was dispatched for absentees.

On motion of Mr. Myers of Ashland, further proceedings under the call were dispensed with.

The question being "Shall the bill (H. B. No. 35) pass?" the yeas and nays were ordered, and resulted—yeas 56, nays 30, as follows:

Those who voted in the affirmative were—

Messrs. Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Barrett, Baskin, Beatty, Blake, Boyce, Brooke, Case, Chapman of Cuyahoga, Cole, Coler, Conklin, Conkright, Duncan, Eshelman, Faxon, Ford, Gowey, Harrison, Heitmann, Herron, Huston, Inman, Kemp, Light, Loomis, Mack, Mann, McCoy, McKinley, McLain, Morris, Myers of Fayette, Neff, Nelson, Newton, Oren, Pattison, Ramsay, Ray, Richards, Richmond, Robb, Sater, Scott, Stone, Thompson of Montgomery, Tryon, Varley, Walker, West, White and Williams—56.

Those who voted in the negative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Bay, Beach, Bell, Carnahan, Chapman of Meigs, Eidson, Green, Grosvenor, Hardy, Hill, Hodge, Holloway, Holt, Howland, Johnson, Lewis, Marx, Mesloh, Miller, Munson, Murlin, Myers of Ashland, Norton, Pearson, Poe, Sheppard, Sherrick, Van Meter and Watson—31.

So the bill passed. The title was agreed to.

Mr. Eshelman moved to suspend the rules of the House for the purpose of making a report from a committee.

Which was agreed to.

Mr. Eshelman submitted the following report:

The committee on Finance, to whom was referred H. B. No. 268, to authorize the commissioners of Wayne county to borrow money on the bonds of the county to discharge the existing liabilities of said county, having had the same under consideration, report it back, with the following amendments, and recommend its passage:

Amend line 5, section 1, by inserting after the word "value" the words "payable in one, two, and three years from the date thereof, but redeemable at the pleasure of the county commissioners of said county at any time, upon giving thirty days' notice of their intention so to do in one or more newspapers published in Wooster, Ohio."

Strike out of line 7, section 1, the word "two."

Strike out of line 6, section 1, the words, "and to defray its current expenses."

Add the following sections after section 1:

"Section 2. That for the redemption of said bonds the county commissioners are hereby authorized to levy on all the taxable property in Wayne

county, Ohio, for each of the years 1875, 1876 and 1877, such amount as shall be necessary to pay the interest and principal of such bonds.

"Sec. 3. That upon the sale of said bonds, the county commissioners and county auditor are hereby authorized to apportion the proceeds thereof to the several funds, as may be required by the necessities of said county."

Strike out after the title the words, "and to defray its current expenses."

E. B. ESHELMAN, J. M. POE,
GEO. W. BOYCE, GEO. H. FORD,
E. M. GREEN, J. SCOTT.
W. P. HOWLAND,

The amendments were agreed to, and said bill was then ordered to be engrossed, and read the third time to-morrow.

Mr. Baker of Perry, on leave, submitted the following report:

The committee on Penitentiary, to whom was referred S. B. No. 40, to amend section 1 of an act entitled an act to regulate and govern the Ohio Penitentiary, passed April 1, 1867, having had the same under consideration, report it back, with the following amendments, and recommend its passage:

In section 1 strike out the words in lines 7, 8, 9, 10, 11, 12, 13, 14, 15, and up to and including the word "qualified," in line 16, which are the following: "of two years, and one for the term of four years from the 1st of February, 1875, and until their successors are appointed and qualified; provided, that the directors heretofore appointed shall remain in office until the expiration of the terms for which they were appointed; and in the month of January, 1876, and in the same month annually thereafter, he shall appoint, by and with the like advice and consent, one director, who shall hold his office for the period of five years, and until his successor is appointed and qualified;" and insert the following words: "of one year, one for the term of two years, one for the term of three years, one for the term of four years, and one for the term of five years from the first Monday of April, 1874, and until their successors are appointed and qualified; and annually thereafter he shall appoint, by and with the like advice and consent, one director, who shall hold his office for the period of five years, and until his successor is appointed and qualified."

In section 2, line 1, strike out the words after the word "their" to and including the word "February," in line 4, and insert the following words: "meeting on the first Monday of April, 1874, and annually at their meeting in April."

In section 5, line 2, add after the figures "1874," "and on the same day every three years thereafter."

In section 7, line 1, add after the word "shall" the following words: "on the first Monday of April, 1874, and on the same day every three years thereafter."

ALLEN J. BEACH, JAS. F. THOMPSON,
E. R. P. BAKER, H. WEIBLE.

The amendments were agreed to, and said bill was then ordered to be engrossed, and read the third time Tuesday next.

Mr. Van Meter, on leave, moved that the select committee of twenty be discharged from further consideration of H. B. No. 238.

Which was not agreed to.

Mr. Miller moved a suspension of the rules for the purpose of permitting him to make a report from a select committee.

Which was not agreed to.

Mr. Pattison submitted the following report:

The joint committee on Enrollment have examined, and found correctly enrolled, the following bills:

H. B. No. 27: Supplementary to an act entitled an act supplementary to an act providing for the punishment of crimes, and of the several acts amendatory and supplementary thereto.

H. B. No. 167: Supplementary to the act entitled an act prescribing the duties of county auditors, passed and took effect April 4, 1859, as amended January 11, 1873.

H. B. No. 138: To authorize the commissioners of Lake county to build a county infirmary, and to issue bonds therefor.

H. B. No. 95: To authorize the creation of a special school district in Porter township, Scioto county, Ohio.

J. M. Pattison, J. C. Fisher,
L. A. Brunner, S. Knox,
H. Hardy, A. M. Burns,
O. B. Chapman, B. Neff.

The Speaker, in the presence of the House, signed said bills.

The following bills were read the second time:

H. B. No. 284: To amend an act entitled an act defining the powers and duties of justices of the peace and constables in criminal cases, passed March 27, 1837, took effect July 4, 1837.

Referred to the committee on the Judiciary.

H. B. No. 285: To provide for a more economical management and better regulation of hospitals for the insane.

Referred to the committee on Insane Asylums.

H. B. No. 286: To authorize the trustees of Orange township, Carroll county, Ohio, to join with the council of the incorporated village of Leesville, in said township, in the construction of a town hall for the joint use of said township and village, and to authorize private persons to join with them in the construction of such hall.

Referred to the committee on New Counties and County Affairs.

H. B. No 287: For the relief of Walter Crook.

Referred to the committee of the Whole House.

H. B. No. 288: To punish intoxication.

Referred to the committee on the Judiciary.

H. B. No. 289: To amend an act authorizing township trustees to levy a tax to purchase a site and erect a township house thereon, passed May 6, 1869.

Referred to the committee on New Counties and County Affairs.

H. B. No. 290: To provide for the payment of a town hall and place for holding elections in the township of Polk, Crawford county, Ohio.

Referred to the committee on Finance.

H. B. No. 291: To amend an act entitled an act to amend an act entitled an act to provide for the organization and government of municipal corporations, passed May 7, 1869, passed April 18, 1870.

Referred to the committee on Municipal Corporations.

H. B. No. 292: To amend section 16 of an act for the relief of the poor, and to repeal certain acts therein named, passed April 26, 1872, passed May 5, 1873.

Referred to the committee on New Counties and County Affairs.

H. B. No. 293: To amend section 19 of an act entitled an act to amend sections 9 and 19 of an act authorizing county commissioners to purchase

land for the use of court-houses, jails and county infirmaries, and to erect buildings thereon, to build bridges, and prescribing their duties in the construction of additions to or alterations of any court-house, jail, county infirmary or bridge, and to repeal certain acts and parts of acts therein named, passed April 27, 1869, passed May 1, 1871.

Referred to the committee on New Counties and County Affairs.

H. B. No. 294: To amend section 8 of an act entitled an act to provide against the evils resulting from the sale of intoxicating liquors in the State of Ohio, passed May 1, 1854.

Referred to the committee on the Judiciary.

H. B. No. 295: For the relief of Peter Phelan, James Webster and John M. C. Marble.

Referred to the committee on Claims.

H. B. No. 296: To create a separate school district in Beaver Creek township, Greene county.

Referred to the committee on Common Schools and School Lands.

S. B. No. 10, to amend section 28 of the code of civil procedure, passed April 18, 1870, was read the third time.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 57, nays 15, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Guernsey, Baker of Coshocton, Barrett, Beach, Beatty, Blake, Brunner, Case, Chapman of Cuyahoga, Chapman of Meigs, Cole, Cooley, Conklin, Conkright, Duncan, Eidson, Eshelman, Ford, Gowey, Green, Grosvenor, Hatfield, Herron, Hodge, Holloway, Holt Johnson, Light, Loomis, Mack, Marx, Martin, McCloud, McLain, Miller, Morris, Munson, Murlin, Myers of Fayette, Neff, Nelson, Newton, Pattison, Pearson, Ramsay, Ray, Richards, Richmond, Sater, Scott, Thompson of Montgomery, Tryon, Varley, Vincent, West and Williams—57.

Those who voted in the negative were—

Messrs. Barnett, Bell, Boyce, Hardy, Heitmann, Hoagland, Huston, Inman, McKinley, Mesloh, Moorehead, Sherrick, Walker, Weible and White —15.

So the bill passed. The title was agreed to.

S. B. No. 58, supplementary to an act entitled an act for the establishment, support and regulation of children's homes in the several counties of the State, and repealing a certain act therein named, passed and took effect April 7, 1867, was read the third time.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 68, nays 10, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Armstrong of Guernsey, Baker of Coshocton, Barrett, Bay, Beach, Beatty, Bell, Blake, Boyce, Brooke, Brunner, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Cole, Cooley, Duncan, Eidson, Faxon, Ford, Gowey, Gordon, Grosvenor, Hardy, Harrison, Heitmann, Herron, Hoagland, Hodge, Holloway, Holt, Johnson, Kemp, Light, Loomis, Mack, Mann, Marx, Martin, McLain, Moorehead, Morris, Munson, Murlin, Myers of Fayette, Neff, Nelson, Oren, Pearson, Ramsay, Ray, Richards, Richmond, Robb, Scott, Sheppard, Stone, Thompson of Montgomery, Tryon, Van Meter, Varley, Vincent, Walker, Watson, Weible, White and Williams—68.

Those who voted in the negative were—

Messrs. Baker of Fairfield, Barnett, Case, Conklin, Eshelman, Green, Inman, Mesloh, Miller, and Myers of Ashland—10.

So the bill passed. The title was agreed to.

H. B. No. 241, to create a joint sub-district for school purposes in the townships of Starr and Green, in Hocking county, Ohio, was read the third time.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 81, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Armstrong of Guernsey, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Bay, Beach, Beatty, Bell, Blake, Boyce, Brooke, Brunner, Case, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Cole, Cooley, Conklin, Conkright, Duncan, Eidson, Eshelman, Faxon, Ford, Geghan, Gowey, Gordon, Green, Harrison, Hatfield, Heitman, Herron, Holloway, Holt, Huston, Johnson, Kemp, Light, Loomis, Mack, Mann, Marx, Martin, McCloud, McKinley, McLain, Mesloh, Miller, Morris, Munson, Murlin, Myers of Ashland, Myers of Fayette, Neff, Nelson, Pattison, Pearson, Poe, Ramsay, Ray, Richards, Richmond, Robb, Sater, Scott, Sherrick, Stone, Thompson of Montgomery, Tryon, Van Meter, Varley, Vincent, Walker, Weible, West, White and Williams—81.

So the bill passed. The title was agreed to.

On motion of Mr. Blake, the House took a recess.

HALF-PAST TWO O'CLOCK P.M.

Mr. McCoy moved to suspend the rules for the purpose of reporting back S. B. No. 61.

Which was not agreed to.

H. B. No. 170, supplementary to an act entitled an act to amend section 1 of an act entitled an act to authorize the commissioners of Franklin county to build a bridge across the Scioto river, in said county, and to levy a tax for that purpose, passed April 17, 1872, was read the third time.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 24, nays 54, as follows:

Those who voted in the affirmative were—

Messrs. Barnett, Barrett, Beatty, Blake, Brunner, Cole, Cooley, Conkright, Duncan, Eidson, Ford, Green, Hodge, Holt, Johnson, Loomis, Mack, McCloud, Neff, Scott, Stone, Thompson of Montgomery, Tryon and Walker—24.

Those who voted in the negative were—

Messrs. Archer, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Beach, Bell, Boyce, Brooke, Case, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Coler, Eshelman, Gowey, Gordon, Haag, Harrison, Heitmann, Herron, Hill, Hoagland, Holloway, Howland, Huston, Inman, Kemp, Lewis, Light, Marx, McCoy, McKinley, McLain, Mesloh, Miller, Moorehead, Murlin, Myers of Ashland, Myers of Fayette, Newton, Norton, Oren, Parker, Pattison, Ramsay, Ray, Richards, Richmond, Robb, Sheppard, Van Meter, Varley, Vincent, Weible, West and Williams—54.

So the bill failed to pass.

H. B. No. 244, to authorize the issuing of bonds, and to regulate the making of contracts in certain cities, was read the third time.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 80, nays 3, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Baker of Coshocton, Baker of Fairfield, Barnett, Beach, Bell, Blake, Boyce, Brooke, Brunner, Case, Chapman of Meigs, Cole, Coler, Cooley, Conklin, Conkright, Duncan, Eidson, Eshelman, Faxon, Ford, Geghan, Gowey, Gordon, Green, Grosvenor, Haag, Hardy, Harrison, Hatfield, Heitmann, Hill, Hodge, Holt, Howland, Inman, Kemp, Lewis, Light, Loomis, Mack, Marx, Martin, McCloud, McCoy, McKinley, McLain, Mesloh, Miller, Moorehead, Morris, Murlin, Myers of Ashland, Myers of Fayette, Neff, Newton, Norton, Oren, Parker, Pattison, Ramsay, Ray, Richards, Richmond, Robb, Sater, Stone, Thompson of Montgomery, Tryon, Van Meter, Varley, Vincent, Walker, Watson, Weible, West, White and Williams—80.

Messrs. Barrett, Herron and Hoagland voted in the negative.

So the bill passed. The title was agreed to.

On motion of Mr. Grosvenor, H. B. No. 92 was taken from the table.

Mr. Eidson demanded a call of the House, and 98 members answered to their names.

The Sergeant-at-Arms was dispatched for absentees.

Mr. Holloway moved that further proceedings under the call be dispensed with.

On which motion the yeas and nays were demanded, ordered, and resulted—yeas 58, nays 16, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Armstrong of Guernsey, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Beatty, Boyce, Brooke, Carnahan, Chapman of Meigs, Cole, Coler, Conklin, Conkright, Duncan, Eidson, Gordon, Grosvenor, Harrison, Heitmann, Herron, Hill, Hoagland, Holloway, Howland, Huston, Inman, Johnson, Loomis, Marx, Martin, McCoy, McLain, Mesloh, Miller, Munson, Neff, Norton, Oren, Pearson, Poe, Ramsay, Robb, Sater, Sheppard, Sherrick, Stone, Thompson of Montgomery, Tryon, Varley, Vincent, Watson, Weible, West, White and Williams—58.

Those who voted in the negative were—

Messrs. Barrett, Beach, Eshelman, Green, Hardy, Hatfield, Kemp, McCloud, McKinley, Murlin, Myers of Ashland, Newton, Richmond, Scott, Van Meter and Walker—16.

So the motion was agreed to.

Mr. Grosvenor then demanded the previous question, which was duly seconded and sustained.

The question then being "Shall the bill (H. B. No. 92) pass?" the yeas and nays were ordered, and resulted—yeas 50, nays 46, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Baker of Coshocton, Beach, Bell, Boyce, Chapman of Cuyahoga, Cole, Coler, Cooley, Eidson, Eshelman, Faxon, Ford, Geghan, Gowey, Gordon, Green, Grosvenor, Haag, Hardy, Hatfield, Heitmann, Hodge, Holt, Huston, Johnson, Kemp, Lewis, Light, Loomis, Mann, Marx, McCloud, Mesloh, Miller, Morris, Murlin, Myers of Ashland, Newton, Poe, Ramsay, Richmond, Robb, Sater, Sherrick, Thompson of Montgomery, Van Meter, Walker and West—50.

Those who voted in the negative were—

Messrs. Armstrong of Guernsey, Baker of Fairfield, Barnett, Barrett, Bay, Beatty, Blake, Brooke, Brunner, Case, Carnahan, Chapman of Meigs,

Conklin, Conkright, Duncan, Harrison, Herron, Hoagland, Holloway, Howland, Inman, Mack, McCoy, McKinley, Moorehead, Munson, Myers of Fayette, Neff, Oren, Parker, Pattison, Pearson, Ray, Richards, Scott, Sheppard, Stone, Tryon, Varley, Vincent, Watson, Weible, White and Williams—46.

So the bill, having failed to receive a constitutional majority, was lost.

On motion of Mr. West, the rules of the House were suspended, and S. B. No. 59, to authorize a special term of the district court of Adams county, was taken from the table.

The question then being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 61, nays 26, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Baskin, Bay, Beatty, Bell, Boyce, Brooke, Brunner, Case, Chapman of Meigs, Cole, Conklin, Eshelman, Geghan, Gordon, Green, Hardy, Harrison, Hatfield, Heitmann, Herron, Hill, Hoagland, Holloway, Holt, Howland, Huston, Inman, Kemp, Lewis, Light, McCloud, McCoy, McKinley, Mesloh, Miller, Moorehead, Myers of Ashland, Norton, Oren, Parker, Pattison, Pearson, Poe, Sater, Sheppard, Sherrick, Stone, Thompson of Montgomery, Tryon, Van Meter, Vincent, Walker, Watson, Weible, West and White—61.

Those who voted in the negative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Blake, Carnahan, Chapman of Cuyahoga, Coler, Duncan, Eidson, Faxon, Gowey, Haven, Hodge, Loomis, Mack, Mann, Marx, Martin, McLain, Morris, Munson, Murlin, Myers of Fayette, Newton, Robb, Scott and Varley—26.

So the bill passed. The title was agreed to.

Mr. Oren moved to suspend the rules, and that H. B. No. 55 be taken from the table.

Which was agreed to.

The question then being on agreeing to the amendment offered by Mr. Brunner, it was disagreed to.

The amendment moved by Mr. Marx was then disagreed to.

Mr. Barnett offered the following amendment:

At the end of section 6 add: "or to prevent sheriffs from receiving the same compensation they are now allowed by law for conveying convicts to the Penitentiary, and for subsisting prisoners in the county jails. The compensation of the county treasurers for their semi-annual settlement with the State treasurer shall in nowise be affected by this act, but such treasurers shall receive for such settlements the same as is now or may be provided by law. The various county treasurers shall also receive the same compensation that they now are or may be allowed by law for the collection of delinquent taxes, in addition to the salary provided by this act."

Said amendment was agreed to.

Mr. Tryon offered the following amendment:

In section 4, line 25, after the word services, add, "and in counties where the probate courts have special jurisdiction in criminal cases, the probate judges in such counties shall receive, in addition to the salaries hereinbefore named, compensation the same as they are now allowed by law for their services in such criminal cases."

Said amendment was agreed to.

Mr. Howland offered the following amendments:

Strike out all after the word "perjury," in line 40, section 4, to the end of the section.

Strike out all after the word "act," in line 11, section 5, to the end of the section.

Said amendments were agreed to.

Mr. Loomis offered the following amendment:

Strike out the word "certify," in line 3, section 4, and insert the word "pay."

After the word "treasury," in line 3, section 4, insert as follows: "and take duplicate receipts for the same, one copy of which shall be filed in the office of the county auditor.

Mr. Armstrong of Guernsey moved to amend the amendment as follows:

Insert in section 4, line 3, after the word "treasury," "and shall constitute a part of the county fund."

Which was agreed to.

Mr. Loomis's amendment, as amended, was then agreed to.

Mr. Coler offered the following amendment, which was disagreed to:

In section 3, line 22, after the word "thousand," insert "five hundred."

Mr. Oren offered the following amendment:

Strike out all after the word "provided," in line 25, section 4, to the word "and," in line 29, and insert as follows: "that no part of the salary of the clerk of the court, sheriff, or probate judge shall be paid to either of said officers, which at the time payment is demanded is in excess of the amount of money collected and actually paid into the treasury by such officer from the fees and costs which have heretofore been allowed him as pay for his services."

Said amendment was agreed to.

Said bill was then ordered to be engrossed, and read the third time Tuesday next.

H. B. No. 247, for the protection of livery-stable keepers and others, was read the third time.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 51, nays 17, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Baker of Coshocton, Baker of Perry, Barrett, Bay, Beach, Beatty, Bell, Blake, Boyce, Brooke, Brunner, Carnahan, Chapman of Cuyahoga, Cole, Coler, Conkright, Duncan, Eidson, Faxon, Hardy, Hatfield, Haven, Herron, Hodge, Holloway, Holt, Huston, Light, Loomis, Mack, Mann, McKinley, McLain, Moorehead, Murlin, Myers of Fayette, Neff, Newton, Oren, Pearson, Ray, Richards, Stone, Thompson of Montgomery, Tryon, Van Meter, Varley, Weible and Williams—51.

Those who voted in the negative were—

Messrs. Baker of Fairfield, Barnett, Eichelman, Gordon, Green, Harrison, Heitmann, Hill, Hoagland, Kemp, Marx, McCloud, Mesloh, Robb, Sater, Sheppard and Vincent—17.

So the bill, not having received a constitutional majority, was lost.

On motion of Mr. Harrison, the vote by which the bill was lost was reconsidered.

Mr. Beach moved to postpone the further consideration of said bill until Tuesday next.

Which was disagreed to.

The question then being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 59, nays 24, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Baker of Coshocton, Barrett, Bay, Beach, Beatty, Blake, Brooke, Carnahan, Chapman of Cuyahoga, Coler, Cooley, Conkright, Duncan, Eidson, Faxon, Ford, Gowey, Hardy, Haven, Herron, Hodge, Holloway, Holt, Johnson, Lewis, Light, Loomis, Mack, Mann, Martin, McCoy, McKinley, McLain, Moorehead, Munson, Myers of Ashland, Myers of Fayette, Neff, Nelson, Newton, Parker, Pearson, Ramsay, Ray, Richards, Richmond, Sherrick, Stone, Thompson of Montgomery, Tryon, Varley, Walker, Watson, Weible, West, White and Williams—59.

Those who voted in the negative were—

Messrs. Baker of Fairfield, Barnett, Bell, Boyce, Brunner, Case, Cole, Geghan, Gordon, Harrison, Heitmann, Hill, Hoagland, Howland, Marx, McCloud, Mesloh, Miller, Pattison, Poe, Robb, Scott, Sheppard and Vincent—24.

So the bill passed. The title was agreed to.

Mr. Pattison submitted the following report:

The joint committee on Enrollment have examined, and found correctly enrolled, the following bills:

H. B. No. 74: To amend section 2 of an act entitled an act supplementary to an act entitled an act to preserve the purity of elections, passed May 5, 1868.

H. B. No. 145: To regulate mines and mining, and to repeal an act therein named.

J. M. Pattison, J. C. Fisher,
L. A. Brunner, M. C. Lawrence,
B. Neff, S. Knox,
O. B. Chapman, A. M. Burns.
E. B. Parker,

The Speaker, in the presence of the House, signed said bills.

Mr. Pattison submitted the following report:

The joint committee on Enrollment have examined, and found correctly enrolled, the following bills:

H. B. No. 197: To provide for supplying United States courts in Ohio with the laws of the State.

H. B. No. 44: Supplementary to an act passed April 29, 1873, entitled an act to create a board of fire commissioners in cities having a population exceeding ninety thousand inhabitants.

H. B. No. 199: To authorize the board of education of Hocking township, Fairfield county, to issue bonds to raise money for erecting two new school houses, and to levy a tax to pay said bonds.

H. B. No. 136: To amend section 27 of an act entitled an act for opening and regulating roads and highways, passed January 27, 1853.

H. B. No. 49: To authorize commissioners for the protection of bridges and highways to remove timber and drift from rivers and water-courses.

J. M. Pattison, H. M. Chapman,
L. A. Brunner, J. C. Fisher,
Henry Hardy, A. M. Burns,
O. B. Chapman, S. Knox.
B. Neff,

The Speaker, in the presence of the House, signed said bills.

Mr. Watson, on leave, offered the following resolution:

H. R. No. 88: Whereas, There is a large amount of unfinished business upon the calendar of this House; therefore

Resolved, That this House will hold an evening session on Tuesday, Wednesday, Thursday and Friday evening of each week until the General Assembly shall adjourn.

Mr. Scott gave notice of a desire to discuss said resolution; so, under the rule, it was laid on the table.

Mr. McCoy moved to suspend the rule, and that the resolution be acted on now.

On which motion the yeas and nays were demanded, ordered, and resulted—yeas 45, nays 43, as follows:

Those who voted in the affirmative were—

Messrs. Baker of Fairfield, Barnett, Beach, Bell, Boyce, Brooke, Case, Cole, Conklin, Eshelman, Green, Hardy, Heitmann, Hill, Hoagland, Holt, Huston, Inman, Johnson, Kemp, Lewis, Light, McCloud, McCoy, McKinley, Mesloh, Moorehead, Myers of Ashland, Nelson, Parker, Pattison, Pearson, Poe, Robb, Sater, Sheppard, Sherrick, Thompson of Montgomery, Van Meter, Varley, Vincent, Watson, Weible, West and White—45.

Those who voted in the negative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Barrett, Bay, Beatty, Blake, Brunner, Chapman of Meigs, Cooley, Conkright, Duncan, Eidson, Faxon, Ford, Geghan, Gowey, Grosvenor, Harrison, Herron, Hodge, Holloway, Howland, Loomis, Mack, Mann, Marx, Martin, McLain, Miller, Munson, Myers of Fayette, Neff, Newton, Oren, Ray, Richards, Richmond, Scott, Stone, Tryon, Walker and Williams—43.

So the motion was disagreed to.

Leave of absence was granted as follows: To Mr. McKinley, until Monday next; and to the committee on Public Works, for to-morrow.

Mr. Scott moved that the House do now adjourn.

On which motion the yeas and nays were demanded, ordered, and resulted—yeas 47, nays 40, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Barrett, Bay, Beatty, Blake, Brooke, Brunner, Chapman of Meigs, Conkright, Eidson, Faxon, Ford, Gowey, Harrison, Haven, Herron, Hodge, Holloway, Howland, Johnson, Mack, Mann, Marx, Martin, McLain, Morris, Munson, Myers of Fayette, Neff, Newton, Oren, Pattison, Pearson, Ramsay, Ray, Richards, Richmond, Sater, Scott, Stone, Tryon, Varley, Vincent, Weible, White and Williams—47.

Those who voted in the negative were—

Messrs. Archer, Baker of Coshocton, Baker of Fairfield, Barnett, Beach, Bell, Boyce, Case, Cole, Coler, Conklin, Eshelman, Green, Hardy, Heitmann, Hill, Hoagland, Holt, Huston, Inman, Kemp, Lewis, Light, Loomis, McCloud, McCoy, McKinley, Mesloh, Miller, Moorehead, Myers of Ashland, Nelson, Poe, Robb, Sheppard, Sherrick, Thompson of Montgomery, Van Meter, Watson and West—40.

So the motion was agreed to, and the House adjourned.

Attest: THOMAS COUGHLIN, *Clerk.*

FRIDAY, MARCH 20, 1874—10 o'clock A.M.

The House met pursuant to adjournment.

Prayer by Rev. Richard Ramsay.

The Journal was read and approved.

Mr. Morris submitted the following report:

The committee on Revision have examined, and found correctly engrossed, H. B. No. 268.

JON. MORRIS, WILLIAM M. MCKINLEY,
ORVIL BLAKE, GEO. W. BOYCE.
JOHNSON SHERRICK,

Leave of absence for to-morrow and Monday was granted to Mr. Harrison.

Mr. Ford presented the remonstrance of J. C. Wells and 95 other citizens of Claridon, Ohio, against the repeal or modification of the Adair liquor law.

Which was referred to the committee on Temperance.

Mr. Ford presented the remonstrance of J. P. Lukens and 42 other citizens of East Claridon, Ohio, against the repeal or modification of the Adair liquor law.

Which was referred to the committee on Temperance.

Mr. Holloway presented the petition of Thompson Kirk and 55 other citizens of Mahoning county, for a reduction of salaries of State and county officers.

Which was referred to the committee on Fees and Salaries.

Mr. Eidson presented the petition of James Campbell and 134 other citizens of West Alexandria, Preble county, asking the General Assembly of the State to pass H. B. No 203, in relation to the school-book monopoly, or some other bill that will remedy the evil.

Which was referred to the committee on Common Schools and School Lands.

Mr. Chapman of Meigs presented the petition of H. White and 8 other citizens of Scipio township, Meigs county, for the passage of a law dividing said township into two election precincts.

Which was referred to the committee on Judiciary.

Mr. White presented the petition of William Price and 149 other citizens of Galion, Crawford county, for the passage of H. B. No. 290.

Which was referred to the committee on Finance.

Mr. Ramsay presented the petition of Harvey Hughes and 214 other citizens of Adams county, for the removal of the seat of justice of Adams county from the town of West Union to the town of Manchester.

Which was referred to the committee on New Counties and County Affairs.

Mr. Stone presented the remonstrance of Abraham Shoemaker and 78 other citizens of Gallia county, against the repeal or modification of the Adair liquor law.

Which was referred to the committee on Temperance.

The following bill was introduced on leave, and read the first time:

H. B. No. 307—By Mr. Pattison: For the relief of the treasury of Brown county, Ohio.

On motion of Mr. Pattison, the constitutional rule was dispensed with, and the bill was read the second time, and referred to the committee on New Counties and County Affairs.

The following bill was introduced on leave, and read the first time:

H. B. No. 308—By Mr. Chapman of Meigs: To create two election precincts in Scipio township, Meigs county.

Leave of absence until Monday was granted Mr. Armstrong of Guernsey.

On motion of Mr. Poe, the committee on the Judiciary was discharged

from the further consideration of H. B. No. 6, and said bill was recommitted to a select committee of one—Mr. Poe.

Mr. Sheppard presented the petition of Robert Denny and 17 other citizens of Muskingum county, for the repeal of certain acts therein named, and that the taxes assessed under said acts be applied to building a courthouse in said county.

Which was referred to the committee on New Counties and County Affairs.

Mr. West presented the petition of G. S. Renner and 105 other citizens of Clermont county, for the passage of H. B. No. 203, or some law to prevent the school-book monopoly in the State.

Which was referred to the committee of the Whole.

Mr. West presented the remonstrance of A. H. Matson and 74 other citizens of Miami township, Clermont county, against the passage of House Bills Nos. 215 and 250.

Which was referred to the committee on Turnpikes.

Mr. Faxon presented the remonstrance of William James and 158 other citizens of Black River, Lorain county, against the repeal of the Adair liquor law.

Which was referred to the committee on Temperance.

Mr. Thompson of Montgomery presented the petition of John Ewing and 43 other citizens of Montgomery county, for the relief of Walter Crook.

Which was referred to the committee of the Whole.

The following bills were read the second time:

S. B. No. 74: Prescribing the rate of State taxes, and to repeal an act therein named.

Referred to the committee on Finance.

S. B. No. 90: To amend sections 1 and 2 of an act entitled an act to amend an act entitled an act to regulate the standard per bushel of stone coal and the measure of cord wood, and to renumber section 3, and repeal sections 1 and 2, passed April 29, 1872.

Referred to the committee on Manufactures and Commerce.

S. B. No. 102: To organize a board of commissioners for the construction of the Central Lunatic Asylum.

Referred to the committee on Insane Asylums.

S. B. No. 122: To amend section 1 of an act entitled an act to regulate the compensation of sheriffs for keeping and providing for prisoners in jail, and to repeal certain acts therein named, passed March 13, 1866.

Referred to the committee on Fees and Salaries.

S. B. No. 127: To amend section 6 of an act entitled an act to prevent cruelty to animals, passed April 4, 1871.

Referred to the committee on Agriculture.

H. B. No. 297: To authorize the commissioners to receive donations and make appropriations for a purpose therein named.

Referred to the committee on New Counties and County Affairs.

H. B. No. 298: To authorize county commissioners to repair improved roads in certain cases.

Referred to the committee on Turnpikes.

H. B No. 299: To amend an act entitled an act supplementary to an act entitled an act for the assessment and taxation of property in this State, and for levying taxes thereon according to its true value in money, passed April 5, 1859.

Referred to the committee on Finance.

H. B. No. 300: To authorize the president and secretary of the Madison County Agricultural Society to sell and convey certain lands.

Referred to a select committee of one—Mr. McCloud.

On motion of Mr. Van Meter, H. B. No. 102 was indefinitely postponed.

H. B. No. 268, to authorize the commissioners of Wayne county to borrow money on the bonds of the county to discharge the existing liabilities of said county, and to defray its current expenses, was read the third time.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 77, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Armstrong of Guernsey, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Barrett, Bay, Blake, Boyce, Brooke, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Cole, Conklin, Conkright, Duncan, Eidson, Eshelman, Faxon, Gowey, Harrison, Hatfield, Herron, Hill, Hodge, Holloway, Howland, Huston, Inman, Kemp, Lewis, Light, Loomis, Mack, Mann, Marx, Martin, McCoy, McKinley, McLain, Mesloh, Morris, Murlin, Myers of Ashland, Myers of Fayette, Neff, Nelson, Newell, Newton, Norton, Oren, Parker, Pattison, Pearson, Ramsay, Richards, Richmond, Robb, Sater, Scott, Sheppard, Sherrick, Stone, Thompson of Lucas, Thompson of Montgomery, Tryon, Van Meter, Varley Walker, Watson, West, White and Williams—77.

So the bill passed. The title was agreed to.

H. B. No. 270, to authorize the board of education of the incorporated village of Medina to take up outstanding bonds and issue new bonds, with extended time, was read the third time.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 85, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Barrett, Bay, Beach, Beatty, Blake, Boyce, Brooke, Brunner, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Cole, Cooley, Conklin, Conkright, Duncan, Eidson, Eshelman, Faxon, Gowey, Gordon, Hardy, Harrison, Hatfield, Herron, Hill, Hodge, Holloway, Holt, Howland, Huston, Inman, Kemp, Lewis, Light, Loomis, Mack, Mann, Marx, Martin, McCloud, McCoy, McKinley, McLain, Mesloh, Morris, Munson, Murlin, Myers of Ashland, Myers of Fayette, Neff, Nelson, Newell, Newton, Norton, Oren, Parker, Pattison, Pearson, Ramsay, Ray, Richards, Robb, Sater, Scott, Sherrick, Stone, Thompson of Lucas, Thompson of Montgomery, Tryon, Van Meter, Varley, Vincent, Watson, West, White and Williams—85.

So the bill passed. The title was agreed to.

H. B. No. 210: To amend section 1 of an act entitled an act to exempt specific articles of personal property from execution, passed April 16, 1873, was read the third time.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 26, nays 45, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Belmont, Baker of Coshocton, Blake, Brooke, Carnahan, Cooley, Conkright, Eidson, Ford, Huston, Loomis, Mann, Martin, Mesloh, Morris, Munson, Myers of Fayette, Nelson, Newell, Norton, Pattison, Ray, Richards, Stone, Tryon and Weible—26.

Those who voted in the negative were—

Messrs. Baker of Fairfield, Baker of Perry, Barnett, Barrett, Bay, Beach, Beatty, Boyce, Brunner, Chapman of Cuyahoga, Cole, Conklin, Duncan, Eshelman, Gordon, Harrison, Hatfield, Hoagland, Holt, Howland, Kemp, Light, Mack, Marx, McCloud, McCoy, McKinley, Murlin, Oren, Parker, Pearson, Poe, Richmond, Robb, Scott, Sheppard, Sherrick, Thompson of Lucas, Van Meter, Varley, Vincent, Watson, West, White and Williams—45.

So the bill failed to pass.

The following communication was received from the Governor:

EXECUTIVE DEPARTMENT,
COLUMBUS, *March* 20, 1874.

To the General Assembly:

I have the honor herewith to transmit a resolution of the Constitutional Convention, accompanied by a report of the committee on Accounts and Expenditures of that body, relating to the probable expenses of the Convention, to cover which no appropriation has been made, to which I invite your immediate attention.

Having but one copy, I send it to the Senate.

Respectfully,

W. ALLEN, *Governor.*

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has concurred in the passage of H. B. No. 66, to authorize the board of education of Huntington township, Brown county, to levy a special tax to pay an existing indebtedness of school building fund.

Attest: S. K. DONAVIN, *Clerk.*

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has passed the following bill, in which the concurrence of the House of Representatives is requested:

S. B. No. 123—By Mr. Worthington: Granting the consent of the General Assembly of the State of Ohio to the Government of the United States to acquire, by purchase or otherwise, lands within the State of Ohio needed for the improvement of the navigation of the Ohio river.

Attest: S. K DONAVIN, *Clerk.*

Said bill was read the first time.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has passed the following bills, in which the concurrence of the House of Representatives is requested:

S. B. No. 69—By Mr. Thompson: To amend sections 435 and 436 of an act entitled an act to provide for the organization and government of municipal corporations, passed May 7, 1869 (66 O. L., pp. 149–221), and section 435, as amended April 18, 1870. (67 O. L., pp. 68–86.)

S. B. No. 92—By Mr. Worthington: Limiting the rates of taxation in municipal corporations, and to repeal the act entitled an act limiting the rates of taxation in municipal corporations, passed May 2, 1871. (68 O. L., p. 133.)

S. B. No. 134—By Mr. Knox: Prescribing the terms of sale of section sixteen of the original surveyed township No. 10, range 4, in Harrison county.

S. B. No. 119—By Mr. Burns: To amend the first section of an act entitled an act relating to wills, and the repeal of former acts relating thereto, passed May 3, 1852, took effect June 1, 1852. (S. & C., 1615.)

Attest: S. K. DONAVIN, *Clerk.*

Said bills were read the first time.

The Speaker laid before the house a communication from the Auditor of State relating to H. R. No. 87.

Mr. Baker of Perry moved that said communication be read at the Clerk's desk, and ordered to be laid on the table and printed.

Mr. McCoy moved to refer said communication to the committee on Public Printing.

On which motion the yeas and nays were demanded, ordered, and resulted—yeas 44, nays 43, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Beach, Boyce, Brooke, Brunner, Cole, Conklin, Eshelman, Haag, Hardy, Hatfield, Hill, Hoagland, Huston, Kemp, Lewis, Light, McCloud, McCoy, McKinley, Mesloh, Murlin, Myers of Ashland, Nelson, Newell, Norton, Parker, Pattison, Pearson, Poe, Robb, Sater, Sheppard, Sherrick, Thompson of Montgomery, Van Meter, Walker, Weible, West and White—44.

Those who voted in the negative were—

Messrs. Armstrong of Belmont, Barrett, Bay, Beatty, Blake, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Cooley, Conkright, Duncan, Eidson, Faxon, Ford, Gowey, Gordon, Harrison, Hodge, Holloway, Holt, Howland, Loomis, Mack, Mann, Marx, Martin, McLain, Morris, Munson, Myers of Fayette, Neff, Newton, Oren, Ramsay, Ray, Richmond, Scott, Stone, Thompson of Lucas, Tryon, Varley, Vincent and Williams—43.

So the motion was agreed to.

On motion of Mr. Gowey, the House took a recess.

HALF-PAST TWO O'CLOCK P.M.

H. B. No. 211, to amend section 313 of the code of civil procedure, as amended April 18, 1870, was read the third time.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 71, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Baker of Coshocton, Baker of Fairfield, Barnett, Barrett, Bay, Beach, Beatty, Blake, Boyce, Brooke, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Cole, Conklin, Conkright, Eidson, Eshelman, Faxon, Gowey, Hardy, Harrison, Hatfield, Herron, Hill, Hoagland, Hodge, Holloway, Holt, Huston, Kemp, Lewis, Light, Loomis, Mack, Mann, Marx, McCoy, McKinley, McLain, Mesloh, Munson, Murlin, Myers of Ashland, Myers of Fayette, Neff, Nelson, Newell, Ramsay, Ray, Richards, Richmond, Robb, Sater, Scott, Sheppard, Sherrick, Stone, Thompson of Lucas, Thompson of Montgomery, Tryon, Van Meter, Varley, Vincent, Watson, Weible, West, White and Williams—71.

So the bill passed.

Mr. Stone moved to amend the title by striking out "April 18, 1870," and "67, 111," and inserting "May 2, 1871. 68, p. 127."

Which was agreed to; and the title, as amended, was then agreed to.

Mr. Chapman of Cuyahoga submitted the following report:

The joint committee on Enrollment have examined, and found correctly enrolled, the following bills:

H. B. No. 220: To authorize the trustees of the township of New London, Huron county, to transfer moneys raised by a tax to build a railroad to the school fund of said township.

H. B. No. 108: To prevent the use of ferrets to catch rabbits.

H. M. CHAPMAN, O. B. CHAPMAN,
J. M. PATTISON, J. C. FISHER,
L. A. BRUNNER, S. KNOX,
H. HARDY, A. M. BURNS.
B. NEFF,

The Speaker, in presence of the House, signed said bills.

H. B. No. 237, supplementary to an act entitled an act to authorize county treasurers to pay out money to township treasurers, city treasurers, treasurers of incorporated villages and treasurers of boards of education, in advance, passed April 29, 1873, was read the third time.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 72, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Belmont, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Barrett, Bay, Beach, Beatty, Blake, Boyce, Brooke, Brunner, Carnahan, Chapman of Cuyahoga, Cole, Conkright, Eidson, Eshelman, Faxon, Gowey, Hardy, Harrison, Hatfield, Herron, Hill, Hoagland, Hodge, Holloway, Holt, Howland, Huston, Kemp, Lewis, Light, Loomis, Mack, Mann, Marx, Martin, McCoy, McKinley, McLain, Mesloh, Munson, Murlin, Myers of Ashland, Myers of Fayette, Neff, Nelson, Newell, Oren, Ramsay, Ray, Richards, Richmond, Robb, Sater, Scott, Sheppard, Stone, Thompson of Lucas, Thompson of Montgomery, Tryon, Van Meter, Varley, Vincent, Watson, Weible, West, White and Williams—72.

So the bill passed. The title was agreed to.

H. B. No. 234, to authorize the trustees of Lagrange township, Lorain, county, Ohio, to borrow money to build a town hall, was read the third time.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 70, nays 3, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Barrett, Bay, Beatty, Blake, Boyce, Brooke, Brunner, Carnahan, Chapman of Cuyahoga, Cole, Conklin, Eshelman, Faxon, Harrison, Herron, Hill, Hoagland, Hodge, Holloway, Holt, Howland, Huston, Kemp, Lewis, Light, Loomis, Mack, Mann, Marx, Martin, McKinley, McLain, Mesloh, Munson, Murlin, Myers of Ashland, Myers of Fayette, Neff, Nelson, Newell, Norton, Oren, Parker, Pearson, Ramsay, Ray, Richards, Richmond, Sater, Scott, Sheppard, Sherrick, Stone, Thompson of Lucas, Thompson of Montgomery, Tryon, Van Meter, Varley, Vincent, Watson, Weible, West, White and Williams—70.

Messrs. Beach, Conkright and Robb voted in the negative.

So the bill passed. The title was agreed to.

On motion of Mr. Stone, H. B. No. 91, to abolish the death penalty, and to amend the first section of an act entitled an act providing for the punishment of crimes, passed March 7, 1835, was laid on the table.

H. B. No. 276: To authorize the commissioners of Lucas county to levy

a tax for the purpose of purchasing and improving additional grounds for the Lucas County Agricultural Society, was read the third time.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 62, nays 8, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Barrett, Bay, Beach, Blake, Boyce, Brooke, Brunner, Carnahan, Chapman of Cuyahoga, Cole, Eidson, Eshelman, Faxon, Gowey, Hardy, Harrison, Hatfield, Herron, Hill, Hodge, Huston, Kemp, Lewis, Light, Loomis, Mack, Martin, McCloud, McCoy, McKinley, McLain, Mesloh, Murlin, Myers of Ashland, Myers of Fayette, Neff, Nelson, Newell, Norton, Parker, Pearson, Ramsay, Ray, Richards, Richmond, Robb, Sater, Scott, Sheppard, Stone, Thompson of Lucas, Thompson of Montgomery, Tryon, Walker, Weible, West and Williams—62.

Those who voted in the negative were—

Messrs. Carnahan, Holloway, Howland, Mann, Marx, Munson, Vincent and Watson—8.

So the bill passed. The title was agreed to.

Mr. Neff submitted the following report:

The joint committee on Enrollment have examined, and found correctly enrolled, the following bill:

H. B. No. 239: Supplementary to an act entitled an act to authorize the board of education of the special school district of the village of Caledonia, Claridon township, Marion county, Ohio, to issue bonds and borrow money.

B. NEFF, J. C. FISHER,
L. A. BRUNNER, M. C. LAWRENCE,
H. HARDY, S. KNOX,
H. M. CHAPMAN, A. M. BURNS.
O. B. CHAPMAN,

The Speaker, in presence of the House, signed said bill.

Mr. Neff submitted the following report:

The joint committee on Enrollment have examined, and found correctly enrolled, the following bills:

H. B. No. 209: To authorize the filling of vacancies in the boards of trustees of townships.

H. B. No. 185: To authorize the Urichsville Agricultural Society to sell and convey certain lands.

H. B. No. 178: To transfer Shelby county from the first sub-division of the third judicial district to the second sub-division of said district.

B. NEFF, E. B. PARKER,
L. A. BRUNNER, J. C. FISHER,
H. HARDY, M. C. LAWRENCE,
H. M. CHAPMAN, S. KNOX,
O. B. CHAPMAN, A. M. BURNS.

The Speaker, in presence of the House, signed said bills.

H. B. No. 71, to amend sections 5 and 6 of the act entitled an act for the inspection of certain articles therein named, was read the third time.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 62, nays 2, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Barrett, Bay, Blake, Carnahan, Chap-

nan of Cuyahoga, Chapman of Meigs, Cole, Conklin, Conkright, Eidson, Faxon, Harrison, Herron, Hill, Hoagland, Hodge, Holloway, Holt, Huston, Kemp, Lewis, Loomis, Mann, McCloud, McCoy, McKinley, Mesloh, Murlin, Myers of Ashland, Myers of Fayette, Neff, Nelson, Newell, Norton, Oren, Pearson, Ramsay, Ray, Richards, Richmond, Robb, Sater, Scott, Sherrick, Thompson of Lucas, Thompson of Montgomery, Tryon, Van Meter, Varley, Vincent, Walker, Watson, Weible, West, White and Williams—62.

Messrs. Parker and Stone voted in the negative.

So the bill passed. The title was agreed to.

H. B. No. 79, for the repeal of an act entitled an act for the disposition of unclaimed costs, passed May 5, 1873, was read the third time.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 69, nays 1, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Barrett, Beach, Beatty, Blake, Boyce, Brooke, Brunner, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Cole, Conklin, Conkright, Eidson, Faxon, Hardy, Harrison, Hatfield, Herron, Hill, Hoagland, Hodge, Holloway, Holt, Howland, Huston, Kemp, Lewis, Light, Loomis, McCoy, McKinley, McLain, Mesloh, Munson, Myers of Ashland, Myers of Fayette, Neff, Nelson, Newell, Norton, Parker, Pearson, Ramsay, Ray, Richards, Richmond, Robb, Sater, Sheppard, Sherrick, Stone, Thompson of Lucas, Thompson of Montgomery, Tryon, Van Meter, Varley, Vincent, Walker, Watson, Weible, White and Williams—69.

Mr. Oren voted in the negative.

So the bill passed. The title was agreed to.

H. B. No. 226, to prevent certain fraudulent practices, was read the third time.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 13, nays 50, as follows:

Those who voted in the affirmative were—

Messrs. Baker of Fairfield, Baker of Perry, Beach, Cole, Conklin, Hill, Light, Murlin, Nelson, Norton, Walker, Weible and White—13.

Those who voted in the negative were—

Messrs. Archer, Armstrong of Belmont, Baker of Coshocton, Barnett, Barrett, Beatty, Blake, Boyce, Brooke, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Conkright, Eidson, Gowey, Gordon, Harrison, Hatfield, Herron, Hoagland, Hodge, Holloway, Huston, Kemp, Lewis, Mack, Mann, Marx, McCloud, McKinley, McLain, Munson, Myers of Fayette, Neff Newell, Parker, Ramsay, Ray, Richards, Richmond, Robb, Scott, Sheppard, Stone, Thompson of Lucas, Thompson of Montgomery, Van Meter, Varley, Vincent and Watson—50.

So the bill failed to pass.

On motion of Mr. Kemp, the third reading of H. B. No. 195 was postponed until Tuesday next.

H. B. No. 186, to amend section 5 of an act entitled an act to regulate the election of State and county officers, passed May 3, 1852, was read the third time.

Mr. Blake moved to recommit said bill to a select committee of one, with instructions to amend as follows: Add at close of section 5, "pro-

vided, the provisions of this act shall not apply to the townships of the State."

Which was disagreed to.

The question then being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 29, nays 45, as follows:

Those who voted in the affirmative were—

Messrs. Baker of Coshocton, Baker of Perry, Beatty, Brunner, Cole, Conklin, Haag, Hardy, Hatfield, Herron, Kemp, Lewis, Light, Loomis, McCoy, McKinley, Mesloh, Myers of Ashland, Nelson, Parker, Poe, Ray, Robb, Sheppard, Watson, Weible, White, Williams and Speaker—29.

Those who voted in the negative were—

Messrs. Archer, Armstrong of Belmont, Baker of Fairfield, Barrett, Bay, Beach, Blake, Boyce, Brooke, Chapman of Cuyahoga, Chapman of Meigs, Conkright, Eidson, Gowey, Hill, Hoagland, Hodge, Holloway, Holt, Howland, Huston, Mack, Mann, Marx, Martin, McCloud, McLain, Munson, Murlin, Myers of Fayette, Neff, Newell, Ramsay, Richards, Richmond, Sater, Scott, Stone, Thompson of Montgomery, Tryon, Van Meter, Varley, Vincent, Walker and West—45.

So the bill failed to pass.

H. B. No. 191, to authorize the commissioners of Pickaway county, Ohio, to levy a tax to build a bridge across Deer creek, at or near Hayne's mill, in said county, was read the third time.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 74, nays 1, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Barrett, Bay, Beach, Beatty, Blake, Boyce, Brooke, Chapman of Cuyahoga, Chapman of Meigs, Cole, Conklin, Conkright, Eidson, Faxon, Gordon, Haag, Hardy, Hatfield, Herron, Hill, Hoagland, Hodge, Holloway, Holt, Howland, Huston, Kemp, Lewis, Light, Loomis, Mack, Mann, Marx, McCloud, McCoy, McKinley, McLain, Munson, Murlin, Myers of Ashland, Myers of Fayette, Neff, Nelson, Newell, Norton, Parker, Pearson, Poe, Ray, Richards, Richmond, Robb, Sater, Scott, Sheppard, Stone, Thompson of Lucas, Thompson of Montgomery, Tryon, Van Meter, Varley, Vincent, Walker, Watson, Weible, West, White and Williams—74.

Mr. Brunner voted in the negative.

So the bill passed. The title was agreed to.

H. B. No. 157, to amend section one of an act entitled an act to restrain from running at large certain animals therein named, passed April 12, 1867, was read the third time.

Mr. Barrett moved to recommit said bill to a select committee of one, with instructions to amend as follows: In section 1, line two, after the word "shall," insert: "at the request of a majority of the tax-payers thereof."

Which was agreed to.

Mr. Barrett was appointed said committee.

H. B. No. 235, providing for and regulating the publication of applications for local or special legislation, was read the third time.

Mr. Blake moved to recommit said bill to a select committee of one, with instructions to amend as follows: Add to end of section 3, "provided, this act shall apply only to the cities and incorporated villages of the State."

Which was disagreed to.

The question then being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 22, nays 49, as follows:

Those who voted in the affirmative were—

Messrs. Baker of Coshocton, Baker of Perry, Brunner, Chapman of Cuyahoga, Eidson, Faxon, Gowey, Hodge, Loomis, Mack, Marx, Martin, McLain, Myers of Ashland, Nelson, Scott, Thompson of Montgomery, Tryon, Varley, Watson, White and Williams—22.

Those who voted in the negative were—

Messrs. Archer, Armstrong of Belmont, Baker of Fairfield, Barnett, Barrett, Bay, Beach, Beatty, Blake, Boyce, Brooke, Carnahan, Chapman of Meigs, Cole, Conklin, Conkright, Gordon, Hardy, Harrison, Hatfield, Herron, Hill, Hoagland, Holloway, Holt, Howland, Huston, Kemp, Mann, McCloud, McCoy, McKinley, Mesloh, Munson, Murlin, Oren, Parker, Poe, Richards, Richmond, Sater, Sheppard, Stone, Thompson of Lucas, Van Meter, Vincent, Walker, Weible and West—49.

So the bill failed to pass.

H. B. No. 272, to amend section 1 of the act entitled an act to require county commissioners to construct approaches to bridges, was read the third time.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 61, nays 1, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Barrett, Beach, Beatty, Blake, Boyce, Brooke, Carnahan, Chapman of Cuyahoga, Cole, Conklin, Conkright, Eidson, Faxon, Harrison, Herron, Hill, Hoagland, Hodge, Holt, Huston, Kemp, Loomis, Mack, Mann, Martin, McCloud, McCoy, McKinley, Mesloh, Munson, Murlin, Myers of Ashland, Neff, Nelson, Newell, Norton, Oren, Parker, Pearson, Poe, Ramsay, Ray, Richmond, Robb, Stone, Thompson of Lucas, Thompson of Montgomery, Tryon, Van Meter, Varley, Vincent, Walker, Weible, West, White and Williams—61.

Mr. Brunner voted in the negative.

So the bill passed. The title was agreed to.

H. B. No. 130, to amend section 10 of an act entitled an act for the maintenance and support of illegitimate children, and to repeal said section so amended, passed April 3, 1873, was read the third time.

On motion of Mr. Scott, the further consideration of said bill was postponed until Tuesday next.

The following bills were introduced and read the first time:

H. B. No. 309—By Mr. Norton: To amend an act entitled an act supplementary to an act entitled an act to provide for the organization and government of municipal corporations, passed May 7, 1869, passed April 28, 1873.

H. B. No. 310—By Mr. Williams: To enable trustees of religious denominations to become incorporated, and defining their powers.

H. B. No. 311—By Mr. Williams: Creating a special school district in the township of Berlin, Delaware county.

H. B. No. 312—By Mr. Poe: To amend section 29 of an act establishing the superior court for the city of Cleveland, passed May 5, 1873.

H. B. No. 313—By Mr. Boyce: For the relief of John D. Vance, late sergeant-major of the 24th O. V. I.

H. B. No. 314—By Mr. Pattison: To amend section 5 of an act entitled an act regulating the Commercial Hospital of Cincinnati, passed March 11, 1861, as amended by an act passed March 1, 1870.

H. B. No. 315—By Mr. Chapman of Cuyahoga: To encourage the planting and cultivation of trees.

H. B. No. 316—By Mr. Varley: To amend and extend the provisions of an act to raise revenue, protect sheep and confiscate dogs, passed April 28, and took effect May 1, 1862.

H. B. No. 317—By Mr. Beatty: To authorize the board of education of Huntsville school district, in the county of Logan, to borrow money and issue bonds to build a school-house or addition to the school-house, and to purchase additional territory to school-house lot.

H. B. No. 318—By Mr. Grosvenor: To vacate so much of the Hocking canal as lies eastward of the lock at the village of Chauncey, in Athens county.

H. B. No. 319—By Mr. Herron: To amend and supplementary to an act to declare the true intent and meaning of the first section of the act entitled an act to amend an act to establish a university in the town of Athens, passed February 21, 1805, passed March 10, 1843.

H. B. No. 320—By Mr McCloud: To regulate Ohio Soldiers' and Sailors' Orphans' Home, located at Xenia, and to repeal an act entitled an act to establish Ohio Soldiers' and Sailors' Home, passed April 14, 1870; also, an act entitled an act to amend section 6 of an act to establish Ohio Soldiers' and Sailors' Orphans' Home, passed April 25, 1872.

Leave of absence was granted Mr. Ramsay from to-morrow until Monday noon.

Mr. Richards moved that the House do now adjourn.

On which motion the yeas and nays were demanded, ordered, and resulted—yeas 34, nays 48, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Belmont, Bay, Beatty, Blake, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Conkright, Faxon, Gowey, Harrison, Herron, Hodge, Holt, Howland, Loomis, Mack, Mann, Marx, Martin, McLain, Munson, Myers of Fayette, Neff, Oren, Ramsay, Ray, Richards, Richmond, Scott, Thompson of Lucas, Tryon, Varley and Williams—34.

Those who voted in the negative were—

Messrs. Archer, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Beach, Boyce, Brooke, Brunner, Cole, Conklin, Eidson, Eshelman, Gordon, Haag, Hardy, Hatfield, Hill, Hoagland, Huston, Kemp, Lewis, Light, McCloud, McCoy, McKinley, Meslob, Myers of Ashland, Nelson, Newell, Norton, Parker, Pearson, Poe, Robb, Sater, Sheppard, Sherrick, Thompson of Montgomery, Van Meter, Vincent, Walker, Watson, Weible, West, White and Speaker—48.

So the House refused to adjourn.

Mr. Myers of Ashland moved that the House take a recess until half-past seven o'clock this evening.

On which motion the yeas and nays were demanded, ordered, and resulted—yeas 45, nays 31, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Beach, Boyce, Brooke, Cole, Conklin, Eidson, Eshelman, Gordon, Hardy, Hatfield, Hill, Hoagland, Huston, Kemp, Lewis, Light, McCloud, McCoy, McKinley, Mesloh, Murlin, Myers of Ashland, Nelson, Newell, Norton, Parker, Pearson, Robb, Sater, Sheppard, Sherrick, Thompson of Montgomery, Van Meter, Vincent, Walker, Watson, Weible, West, White and Speaker—45.

Those who voted in the negative were—

Messrs. Armstrong of Belmont, Bay, Beatty, Blake, Carnahan, Chapman of Meigs, Conkright, Faxon, Gowey, Harrison, Herron, Hodge, Holloway, Holt, Howland, Loomis, Mack, Mann, Marx, Martin, McLain, Munson, Myers of Fayette, Neff, Oren, Ramsay, Ray, Richards, Richmond, Scott, Thompson of Lucas, and Varley—31.

So the motion was agreed to, and the House took a recess.

HALF-PAST SEVEN O'CLOCK P.M.

Leave of absence was granted until Monday evening to Mr. Ford.

Mr. Scott demanded a call of the House, and 81 members answered to their names.

The absentees were Messrs. Armstrong of Guernsey, Barrett, Baskin, Bell, Blake, Coler, Cooley, Duncan, Ford, Geghan, Gordon, Haag, Hatfield, Haven, Herron, Hill, Inman, Loomis, Mack, McCloud, Miller, Moorehead, Newton, Norton, Pattison, Thompson of Lucas, and Walker.

The Sergeant-at-Arms was dispatched for absentees.

Mr. Archer moved that further proceedings under the call be dispensed with.

On which motion the yeas and nays were demanded, ordered, and resulted—yeas 52, nays 21, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Barrett, Bay, Beach, Boyce, Brooke, Brunner, Case, Chapman of Cuyahoga, Cloe, Conklin, Conkright, Eidson, Eshelman, Green, Hardy, Heitmann, Hill, Hoagland, Hodge, Huston, Kemp, Lewis, Light, Mann, McCoy, McKinley, Mesloh, Murlin, Myers of Ashland, Nelson, Newell, Parker, Pearson, Poe, Robb, Sater, Sheppard, Sherrick, Thompson of Montgomery, Van Meter, Vincent, Watson, Weible, West, White and Williams—52.

Those who voted in the negative were—

Messrs. Beatty, Chapman of Meigs, Faxon, Gowey, Grosvenor, Harrison, Holloway, Johnson, Loomis, Marx, Martin, McLain, Morris, Munson, Myers of Fayette, Neff, Ramsay, Ray, Richards, Richmond and Scott—21.

So the motion was agreed to.

The following bills were introduced, and read the first time:

H. B. No. 321—By Mr. Morris: To amend section 9 of an act entitled an act concerning divorce and alimony, passed March 11, 1853, as amended March 1, 1870, and amended February 27, 1873.

H. B. No. 322—By Mr. Archer: To amend an act entitled an act to prevent cruelty to animals, passed April 4, 1871.

H. B. No. 323—By Mr. Green: To change the time fixed for holding the second term of the court of common pleas for the year 1874 in the county of Shelby.

H. B. No. 324—By Mr. Johnson: To authorize the commissioners of Scioto county to levy an additional tax.

H. B. No. 325—By Mr. McLain: To amend section 1 of the act passed March 9, 1867, entitled an act to amend section 3 of an act to regulate fees of clerks of the court of common pleas, passed April 13, 1865.

H. B. No. 326—By Mr. Beatty: To amend sections 3 and 4 of an act regulating sales at auction, passed March 16, 1840, and took effect March 1, 1841.

H. B. No. 327—By Mr. Loomis: To prevent county recorders from acting as conveyancers, etc.

Mr. Pearson submitted the following report:

The committee on Railroads and Telegraphs, to whom was referred S. B. No. 43, to amend an act entitled an act supplementary to an act to provide for the creation and regulation of incorporated companies in the State of Ohio, passed May 2, 1871, having had the same under consideration, report it back, and recommend its passage.

J. E. PEARSON, T. B. WILLIAMS,
M. A. HOAGLAND, J. S. GORDON.
J. N. OREN,

Said bill was read the third time.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 82, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Beach, Beatty, Bell, Boyce, Brooke, Brunner, Case, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Cole, Coler, Conklin, Conkright, Eidson, Eshelman, Faxon, Gowey, Green, Grosvenor, Hardy, Hatfield, Haven, Heitmann, Herron, Hill, Hoagland, Hodge, Holloway, Huston, Johnson, Kemp, Lewis, Light, Loomis, Mann, Marx, Martin, McCloud, McCoy, McKinley, McLain, Mesloh, Morris, Munson, Murlin, Myers of Ashland, Myers of Fayette, Neff, Nelson, Newell, Oren, Parker, Pearson, Poe, Ramsay, Ray, Richards, Richmond, Robb, Sater, Sheppard, Sherrick, Stone, Thompson of Lucas, Thompson of Montgomery, Tryon, Van Meter, Varley, Vincent, Walker, Watson, Weible, West, White and Williams—82.

So the bill passed. The title was agreed to.

Mr. Eidson submitted the following report:

The committee on Turnpikes, to whom was referred H. B. No. 250, to provide for the repair of free turnpikes, having had the same under consideration, report it back, with the following amendments, and recommend its passage:

Section 1, line 2, add after the word "wherein," "fifty miles or more of;" also, in the same line, after the word "been," "or may be hereafter." Strike out in same section all after the word "thereof," in line 8, and ending in line 11 after the word "there;" add after the word "the," in line 37, "first Monday in June;" and add to section 1 the following: "Provided, that when in the opinion of the said board the interests of any of said turnpikes require, they are hereby authorized to enter upon any lands in said county and take gravel or other material necessary for the repair of said turnpikes, and shall give a certificate to the owner or owners of such material so taken, which shall state the value thereof, together with the amount of damage to said lands by reason of the removal of said material; and the county auditor, upon the presentation of said certificate, shall issue an order upon the county treasurer for the amount so certified, who shall pay the same out of the turnpike fund; provided further, that in case said owner or owners are not satisfied with the value so certified by said board shall have the right of appeal to the probate court of said county, subject to all the provisions of the statute now in force relating to the condemnation of material for road purposes; provided further, that a notice of such appeal shall be filed with the probate judge of said county within ten days after the delivery of said certificate."

Strike out of section 2 all of lines 8, 9 and 10, and add thereto, in line 30, after the word "the," "turnpike."

In section 3, add after the word "power," in line 1, "and are hereby required."

In section 5 strike out lines 1 and 2; also, change section 6 to section 5.

THOMAS H. BASKIN, G. H. EIDSON,
HENRY HARDY, E. M. WALKER,
A. W. MUNSON, E. M. GREEN.

The amendments were agreed to, and said bill was then ordered to be engrossed, and read the third time Tuesday next.

Mr. Eidson submitted the following report:

The committee on Turnpikes, to whom was referred H. B. No. 257, supplementary to an act entitled an act to authorize the county commissioners to construct roads on a petition of a majority of resident land-owners along and adjacent to the line of said road, and to repeal an act therein named, passed and took effect March 29, 1867, having had the same under consideration, report it back without recommendation.

G. H. EIDSON, HENRY HARDY,
E. M. WALKER, A. W. MUNSON,
JOHN L. MYERS, THOS. H. BASKIN.
E. M. GREEN,

On motion of Mr. McCoy, said bill was laid on the table.

Mr. Eidson submitted the following report:

The committee on Turnpikes, to whom was referred H. B. No. 275, to authorize the county commissioners of any county to locate and improve roads in certain specified cases, having had the same under consideration, report it back without recommendation.

THOS. H. BASKIN, G. H. EIDSON,
A. W. MUNSON, E. M. WALKER,
JOHN L. MYERS, H. HARDY.

On motion of Mr. Eshelman, said bill was laid on the table.

Mr. Hardy submitted the following report:

The committee on Turnpikes, to whom was referred H. B. No. 215, to authorize county commissioners to levy a tax to keep in repair free turnpike roads, having had the same under consideration, report it back, with the following amendments, without recommendation:

In line 2, section 1, after the word "wherein," insert the words "improved roads and."

In line 4, same section, strike out the words "one-half of."

In line 5, same section, after the word "said," insert the words "improved roads and."

In line 7, same section, after the word "said," insert "improved roads and."

In line 4 of section 2, after the word "said," insert the words "improved roads and."

In line 7, before the word "free," in same section, insert the words "improved roads and."

In line 8, same section, strike out all after the words "such township."

In section 3, line 4, strike out the word "one," and insert "two."

After the word "dollars," in same line, strike out the words "and fifty."

In line 8, same section, strike out the word "cents," and insert the words "per diem."

H. HARDY, JOHN L. MYERS,
E. M. WALKER, A. W. MUNSON,
G. H. EIDSON, E. M. GREEN.

The amendments were agreed to, and said bill was then ordered to be engrossed, and read the third time on Tuesday next.

Mr. Norton submitted the following report:

The committee on Insane Asylums, to whom was referred H. B. No. 285, to provide for a more economical management and better regulation of hospitals for the insane, having had the same under consideration, report it back, with the following amendments, and recommend its passage: In section 15, line 4, strike out all after the word "patients" to end of that section.

EDWARD C. LEWIS, ROBERT BARNETT,
JAMES K. NORTON JACOB KEMP.

The amendment was agreed to, and said bill was then ordered to be engrossed, and read the third time Tuesday next.

Mr. Gowey submitted the following report:

A minority of the committee on Insane Asylums, to whom was referred H. B. No. 285, to provide for a more economical management and better regulation of hospitals for the insane, beg leave to submit the following minority report:

1. We can see no possible connection between the statement of alleged extravagance in the management of these institutions and a proposition to change their names, nor how a law changing the number of trustees would reduce taxation.

2. We believe that a change in their present management, displacing those who have made this specialty a life study, would result disastrously, not only to the State, but what is of far more importance, to their unfortunate inmates.

3. That no charges reflecting upon the present management of these institutions have come to the knowledge of your committee.

4. That it clothes the steward with additional powers, making him independent of the superintendent, thus creating two heads to the institution.

5. We believe that the laws now in force are sufficiently stringent, both as regards the letting of contracts and the general management of these institutions, to prevent peculation and fraud, and we consider this bill, if enacted into a law, would merely legislate out of office faithful and competent officers.

For these reasons, we recommend the indefinite postponement of this bill.

J. F. GOWEY,
SAMUEL HERRON,
R. G. RICHARDS.

Mr. Scott moved that said minority report be spread upon the Journal.

On which motion the yeas and nays were demanded, ordered, and resulted—yeas 64, nays 14, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Baker of Coshocton, Baker of Perry, Beatty, Boyce, Brooke, Case, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Cole, Coler, Conklin, Conkright, Eidson, Eshelman, Faxon, Gowey, Grosvenor, Harrison, Haven, Herron, Hoagland, Holloway, Holt, Huston, Johnson, Kemp, Lewis, Loomis, Mann, Marx, Martin, McCloud, McKinley, McLain, Morris, Munson, Murlin, Myers of Ashland, Myers of Fayette, Neff, Newell, Norton, Oren, Pearson, Poe, Ramsay, Ray, Richmond, Robb, Scott, Sheppard, Sherrick, Thompson of Lucas, Thompson of Montgomery, Tryon, Van Meter, Varley, Vincent, Watson, West and Williams—64.

Those who voted in the negative were—

Messrs. Baker of Fairfield, Barnett, Beach, Bell, Brunner, Haag, Hardy, Heitmann, Light, Nelson, Parker, Walker, Weible and White—14.

So the motion was agreed to.

Mr. Green submitted the following report:

The committee on Finance, to whom was referred H. B. No. 273, to amend section 20 of an act entitled an act prescribing the duties of county auditors, passed and took effect April 4, 1859, as amended January 16, 1873, having had the same under consideration, report it back, and recommend its passage.

E. B. Eshelman, Geo. W. Boyce,
E. M. Green, J. M. Poe,
R. Hill, W. P. Howland.

On motion of Mr. Eshelman, said bill was ordered to be engrossed at the Clerk's desk, and read the third time now.

The bill was so read, and the question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 79, nays 1, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Bay, Beach, Beatty, Bell, Boyce, Brooke, Brunner, Case, Carnahan, Chapman of Cuyahoga, Cole, Coler, Conklin, Conkright, Duncan, Eidson, Eshelman, Faxon, Green, Grosvenor, Hardy, Harrison, Hatfield, Haven, Herron, Hill, Hoagland, Hodge, Holloway, Holt, Howland, Huston, Johnson, Kemp, Light, Loomis, Mann, Marx, McCloud, McCoy, McKinley, McLain, Mesloh, Morris, Munson, Murlin, Myers of Ashland, Myers of Fayette, Neff, Nelson, Newell, Norton, Oren, Parker, Pearson, Ramsay, Ray, Richards, Richmond, Robb, Sater, Sherrick, Thompson of Lucas, Thompson of Montgomery, Tryon, Van Meter, Varley, Vincent, Walker, Watson, Weible, West, White and Williams—79.

Mr. Haag voted in the negative.

So the bill passed. The title was agreed to.

Mr. Ramsay submitted the following report:

The committee on New Counties and County Affairs, to whom was referred H. B. No. 269, to authorize the trustees of Columbia township, Hamilton county, to issue bonds for certain purposes, having had the same under consideration, report it back, and recommend its indefinite postponement.

R. Ramsay, James Watson,
S. A. West, J. B. Ray.

Said report was agreed to, and the bill indefinitely postponed.

Mr. Ramsay submitted the following report:

The committee on New Counties and County Affairs, to whom was referred H. B. No. 13, to create two election precincts in the township of Fairfield, county of Columbiana, having had the same under consideration, report it back, and recommend that it be indefinitely postponed.

R. Ramsay, S. A. West,
E. M. Walker, Shelden Newton,
Hiram Murlin, J. B. Ray.

Said report was agreed to, and the bill indefinitely postponed.

Mr. Lewis submitted the following report:

The committee on Insane Asylums, to whom was referred S. B. No. 85, to amend sections 52 and 53 of an act entitled an act to provide for the uniform government and better regulation of the lunatic asylums of the

State, and the care of idiots and the insane, passed and took effect April 7, 1856, having had the same under consideration, report it back, with the following amendment, so that section 3 shall read as follows: "Said sections 52 and 53 of said act are hereby repealed, and this act shall take effect upon its passage, and shall apply to pending cases, proceedings and prosecutions."

EDWARD C. LEWIS, R. G. RICHARDS,
JAMES A. NORTON, ROBERT BARNETT,
J. F. GOWEY, J. KEMP.
SAMUEL HERRON,

The amendment was agreed to.

Said amendment was then ordered to be engrossed, and the bill read the third time Tuesday next.

Mr. Armstrong of Belmont submitted the following report:

The committee on Universities and Colleges, to whom was referred H. B. No. 205, to refund to the Ohio University certain funds in the State treasury, and to provide for the future payment of the claims of said University, having had the same under consideration, report it back, without recommendation, after amending it as follows:

In line six of the preamble, after the word "treasury," insert the following: "in equity belonging to the endowment of said University."

In section 1, line four, strike out all after the word "treasury" to the close of the section, and insert as follows: "with interest on the same since it was so paid in."

In section 2, line three, strike out the words "May" and "a sum equal to," and insert "January."

HENRY HARDY, SAMUEL HERRON,
LEBBEUS COLE, ORVIL BLAKE,
J. F. THOMPSON, T. H. ARMSTRONG.
WM. VAN METER,

The amendments were agreed to.

Said bill was then ordered to be engrossed, and read the third time Tuesday next.

Mr. Armstrong of Belmont submitted the following report:

The committee on Library, to whom was referred S. J. R. No. 25, to authorize the Commissioners of the State Library to make improvements in the library room, having had the same under consideration, report it back, and recommend that it be adopted.

EDWARD BROOKE, RODNEY C. MCCLOUD,
T. H. ARMSTRONG, JOHN BAKER.
A. ARMSTRONG,

The question being on the adoption of the resolution, the yeas and nays were ordered, and resulted—yeas 68, nays 10, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Bay, Beach, Beatty, Bell, Boyce, Brooke, Brunner, Case, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Coler, Conkright, Eidson, Eshelman, Faxon, Gowey, Green, Grosvenor, Haag, Hardy, Harrison, Haven, Heitman, Herron, Hoagland, Hodge, Holloway, Holt, Huston, Johnson, Loomis, Mann, Marx, Martin, McCloud, McCoy, McKinley, McLain, Mesloh, Munson, Murlin, Myers of Fayette, Oren, Pearson, Ramsay, Ray, Richards, Richmond, Robb, Sater, Stone, Thompson of Lucas, Thompson of Montgomery, Tryon, Van Meter, Varley, Vincent, Walker, Watson and Williams—68.

Those who voted in the negative were—

Messrs. Conklin, Hatfield, Kemp, Light, Parker, Sheppard, Sherrick, Weible, West and White—10.

So the resolution was adopted.

Mr. Beatty submitted the following report:

The committee on the Judiciary, to whom was referred S. B. No. 47, supplementary to an act entitled an act to exempt specific articles of personal property from execution, passed April 17, 1873, having had the same under consideration, report it back, and recommend its passage.

J. M. PATTISON, WM. W. BEATTY,
T. M. ROBB, J. SCOTT,
W. P. HOWLAND, C. C. ARCHER.

Said bill was ordered to be read the third time Wednesday next.

Mr. Beatty submitted the following report:

The committee on the Judiciary, to whom was referred H. B. No. 192, supplementary to an act to exempt specific articles of personal property from execution, passed April 16, 1873, having had the same under consideration, report it back, with the following amendments, and recomend its passage:

In line one, section 2, after the word "woman," insert "not a widow."

In line three, section 2, after the word "apparel," insert "and other property;" and leaving out all after the word "law" in line five, section 2, to the word "provided" in line six, and in line nine, section 2, leaving out the word "and," and insert "or board."

J. M. PATTISON, J. SCOTT,
T. M. ROBB, WM. W. BEATTY,
C. C. ARCHER, C. H. GROSVENOR.

The amendments were agreed to.

Said bill was then ordered to be engrossed, and read the third time Wednesday next.

Mr. Heitmann submitted the following report:

The committee on Judiciary, to whom was referred H. B. No. 253, for the relief of David L. Wood, ex-Quartermaster General of the State, having had the same under consideration, report it back, with the following amendment, and recommend its passage:

"Provided further, that there shall be deducted from the amount herein appropriated an amount equal to any further sum of money or pay which said David L. Wood shall have received for services as quartermaster-general from the Governor, Auditor, or Quartermaster-General of the State, or from the General Government, on account of salary or otherwise, for services rendered or claimed to have been rendered the United States during the time for which services are claimed by the provisions of this act. Such sum as may be due under the provisions of this act shall be paid on the order of the Auditor of State."

J. H. HEITMANN, WM. W. BEATTY,
C. C. ARCHER, C. H. GROSVENOR,
T. M. ROBB, J. M. PATTISON.
J. M. HAAG,

The amendment was agreed to.

Said bill was ordered to be engrossed, and read the third time Tuesday next.

Mr. Case submitted the following report:

The committee on Common Schools and School Lands, to whom was referred the memorial of Eli Mitchell and others of Truro township,

Franklin county, asking the construction of a culvert across the National road so as to drain the land surrounding the school-house for colored youths, near the first toll-gate east of Columbus, having had the same under consideration, report by joint resolution (H. J. R. No. 35).

O. CASE, JOHNSON SHERRICK, A. W. MUNSON, E. MARTIN, H. G. TRYON.

H. J. R. No. 35: *Resolved by the General Assembly of the State of Ohio*, That the Superintendent of the National road be and he is hereby instructed to construct a sewer-pipe culvert across the National road, near the first toll-gate east of the city of Columbus, of sufficient dimensions to drain the land immediately surrounding the school house erected at that place for colored youths, and that the expense thereof be charged to the National road fund.

The question being on the adoption of said resolution, the yeas and nays were ordered, and resulted—yeas 85, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Beach, Beatty, Bell, Boyce, Brooke, Brunner, Case, Carnahan, Chapman of Cuyahoga, Cole, Coler, Conklin, Conkright, Eidson, Eshelman, Faxon, Gowey, Green, Grosvenor, Haag, Harrison, Hatfield, Haven, Heitmann, Herron, Hill, Hoagland, Hodge, Holloway, Holt, Howland, Huston, Johnson, Kemp, Lewis, Light, Loomis, Mann, Marx, Martin, McCloud, McCoy, McKinley, McLain, Mesloh, Morris, Munson, Murlin, Myers of Ashland, Myers of Fayette, Neff, Nelson, Newell, Norton, Oren, Parker, Pearson, Poe, Ramsay, Ray, Richards, Richmond, Robb, Sater, Sheppard, Sherrick, Stone, Thompson of Lucas, Thompson of Montgomery, Tryon, Van Meter, Varley, Vincent, Walker, Watson, Weible, West, Williams and Speaker—85.

So the resolution was adopted.

Mr. Harrison submitted the following report:

The committee on Public Schools, to whom was referred S. B. No. 112, for the relief of the board of education of the city of Mansfield, Ohio, having had the same under consideration, report it back, with the following amendment, and recommend its passage:

At the end of section 2 annex the following: "Nothing in this act, however, shall be construed to authorize the compulsion of any holder of said outstanding bonds to exchange contrary to his will."

JAMES H. NORTON, ORVIL BLAKE, EZRA MANN, WILLIAM M. MCKINLEY. T. J. HARRISON.

The amendment was agreed to.

Said bill was then ordered to be engrossed, and read the third time Tuesday next.

Mr. Sherrick submitted the following report:

The committee on Common Schools and School Lands, to whom was referred H. B. No. 261, to create a joint sub-district for school purposes in the township of Miami, Logan county, Adams township, Champaign county, and Perry township, Shelby county, Ohio, having had the same under consideration, report it back, with the following amendments, and recommend that it be engrossed and passed:

In section 1, at end of line three, strike out "two," and insert "three." Line 6, insert "joint" before "sub-district."

Section 2, line two, strike out "Perry," and insert "Adams." Line

four, strike out "Perry," and insert "Adams." Line five, insert "joint" before "sub-district."

JOHNSON SHERRICK, H. G. TRYON,
O. CASE, E. MARTIN.
J. A. MOOREHEAD,

The amendments were agreed to.

Said bill was then ordered to engrossed, and read the third time Tuesday next.

Mr. Robb submitted the following report:

The committee on Judiciary, to whom was referred S. B. No. 108, to amend section 161 of an act entitled an act to provide for the settlement of the estates of decease persons, passed March 23, 1840, having had the same under consideration, report it back, with the following amendments, and recommend that, being so amended, it be passed: Strike out the word "final," in line twenty, and insert in lieu thereof the word "full." In line twenty-one, after the word "administration," add the words "within six months after his appointment."

T. M. ROBB, WM. W. BEATTY,
C. C. ARCHER, J. SCOTT,
W. P. HOWLAND, J. M. HAAG,
J. M. PATTISON, C. H. GROSVENOR.

The amendments were agreed to, and said bill was ordered to be engrossed, and read the third time Monday next.

Mr. Robb submitted the following report:

The committee on Judiciary, to whom was referred H. B. No. 264, to provide for the republication of certain volumes of the Ohio State Reports, having had the same under consideration, report it back, with the recommendation that it be passed.

T. M. ROBB, WM. W. BEATTY,
J. M. HAAG, J. SCOTT,
C. H. GROSVENOR, C. C. ARCHER.

Said bill was ordered to be engrossed, and read third time Thursday next.

Mr. Hodge submitted the following report:

The committee on Municipal Corporations, to whom was referred S. B. No. 46, to amend an act entitled an act to amend section 540 of the municipal code, as amended April 18, 1870, passed March 12, 1873, having had the same under consideration, report it back, and recommend that it be indefinitely postponed.

E. W. MILLER, WM. BELL, JR.,
O. J. HODGE, MILT. MCCOY.

Said report was agreed to, and the bill indefinitely postponed.

Mr. Hodge submitted the following report:

The committee on Municipal Corporations, to whom was referred S. B. No. 87, to amend sections 9 and 10 of an act entitled an act for the organization and government of municipal corporations, having had the same under consideration, report it back, and recommend that it be engrossed and passed.

E. W. MILLER, WM. BELL, JR.,
O. J. HODGE, MILT. MCCOY.

Said bill was ordered to be read the third time Tuesday next.

Mr. Hodge submitted the following report:

The committee on Municipal Corporations, to was referred H. B. No. 77, to amend section 302 of the municipal code, having had the same under consideration, report it back without recommendation.

E. W. MILLER, WM. BELL, JR.,
O. J. HODGE, MILT. MCCOY.

On motion of Mr. Boyce, said bill was recommitted to a select of ten—the members from Hamilton county—Mr. Boyce, chairman.

Mr. Hodge submitted the following report:

The committee on Municipal Corporations, to whom was referred H. B. No. 274, to authorize the citizens of the village of Leipsic, Putnam county, to hold a special election, having had the same under consideration, report it back, and recommend its engrossment and passage.

E. W. MILLER, WM. BELL, JR.,
HIRAM MURLIN, MILT. MCCOY.

Said bill was ordered to be engrossed, and read the third time Monday next.

Mr. Hodge submitted the following report:

The committee on Municipal Corporations, to whom was referred H. B. No. 202, to amend sections 306, 307, 318 and 325 of an act entitled an act to provide for the organization and government of municipal corporations, having had the same under consideration, report it back, with the following amendment, and recommend its passage as amended:

After the word "health," in line 63, section 1, insert "in cities of the first class having a population exceeding 200,000."

E. W. MILLER, HIRAM MURLIN,
WM. BELL, JR., MILT. MCCOY.

The amendment was agreed to, and said bill was then ordered to be engrossed, and read the third time on Monday next.

Mr. Hodge submitted the following report:

The committee on Municipal Corporations, to whom was referred H. B. No. 233, to amend section 507 of an act to provide for the organization and government of municipal corporations, having had the same under consideration, report it back, with the following amendments, and recommend its passage as amended:

Strike out the words "and the costs," in line 17, section 1, and strike out lines 18, 19, 20 and 21 in same section.

E. W. MILLER, HIRAM MURLIN,
WM. BELL, JR., MILT. MCCOY.

The amendments were agreed to, and said bill was then ordered to be engrossed, and read the third time Monday next.

Mr. Hodge submitted the following report:

The committee on Municipal Corporations, to whom was referred H. B. No. 262, to amend section 335 of an act entitled an act to provide for the organization and government of municipal corporations, having had the same under consideration, report it back, and recommend its engrossment and passage.

E. W. MILLER, HIRAM MURLIN,
WM. BELL, JR., MILT. MCCOY.

Said bill was ordered to be engrossed, and read the third time on Tuesday next.

Mr. Watson submitted the following report:

The committee on New Counties and County Affairs, to whom was re-

ferred H. B. No. 286, to authorize the trustees of Orange township, Carroll county, Ohio, to join with the council of the incorporated village of Leesville, in said township, in the construction of a town hall, having had the same under consideration, report it back, and recommend its passage.

SHELDEN NEWTON, E. M. WALKER,
S. A. WEST, HIRAM MURLIN,
JAS. WATSON, R. RAMSAY.
J. B. RAY,

Said bill was then ordered to be engrossed, and read the third time Monday next.

Mr. Archer submitted the following report:

The committee on Judiciary, to whom was referred H. B. No. 208, to amend an act entitled an act of the jurisdiction of justices of the peace, and of the duties of constables in civil courts, passed March 14, 1850, having had the same under consideration, report it back, and recommend its indefinite postponement.

C. C. ARCHER, W. P. HOWLAND,
T. M. ROBB, WM. W. BEATTY.

Said report was agreed to, and the bill indefinitely postponed.

Mr. Archer submitted the following report:

The committee on Judiciary, to whom was referred S. B. No. 9, to amend section 313 of the code of civil procedure, as amended May 2, 1871, having had the same under consideration, report it back, with the following amendments, and recommend its passage:

In section 1, line 9, after the word "lunatic," insert "or imbecile." Also, in same section, in line 10, after the word "person," insert "except in the following cases; provided, that nothing herein contained shall be so construed as to prevent any and all the heirs, grantees, and legatees from testifying in cases to contest the validity of, or to set aside a will or deed of any ancestor or grantor under whom they may claim title."

C. C. ARCHER, WM. W. BEATTY,
T. M. ROBB, J. M. PATTISON.
J. SCOTT,

The amendments were agreed to.

Said amendments were then ordered to be engrossed, and the bill read the third time Tuesday next.

On motion of Mr. Haag, the House took a recess until 10 o'clock A.M. to-morrow.

SATURDAY, MARCH 21, 1874—10 o'clock A.M.

The House met pursuant to recess.

Prayer by Rev. Chas. H. Kellogg.

Mr. West submitted the following report:

The committee on New Counties and County Affairs, to whom was referred H. B. No. 263, supplementary to an act for the relief of the poor, etc., passed April 26, 1872, having had the same under consideration, report it back without recommendation, and ask to be relieved from the further consideration thereof.

S. A. WEST, SHELDEN NEWTON,
JAMES WATSON, E. M. WALKER,
R. RAMSAY, J. B. RAY.
HIRAM MURLIN,

On motion of Mr. Loomis, said bill was recommitted to a select committee of one—Mr. Loomis.

Mr. West submitted the following report:

The committee on New Counties and County Affairs, to whom was referred the petition of 112 citizens of Atwater, Portage county, praying for the passage of a law authorizing their trustees to levy a tax to purchase a hearse, having had the same under consideration, report it back without recommendation, and ask to be discharged from the further consideration thereof.

S. A. West, Hiram Murlin,
E. M. Walker, J. B. Ray,
R. Ramsay, Shelden Newton.
James Watson,

Said report was agreed to, and the committee discharged.

Mr. West submitted the following report:

The committee on New Counties and County Affairs, to whom was referred H. B. No. 259, to create two election precincts in the township of Salem, Columbiana county, having had the same under consideration, report it back, and recommend its indefinite postponement.

S. A. West, E. M. Walker,
James Watson, Hiram Murlin,
J. B. Ray, Shelden Newton.

On motion of Mr. Holloway, said bill was ordered to be engrossed, and read the third time Monday next.

Mr. West submitted the following report:

The committee on New Counties and County Affairs, to whom was referred H. B. No. 267, to authorize the trustees of Spencer township, Hamilton county, to sell the township hall, having had the same under consideration, report it back, and recommend its passage.

S. A. West, James Watson,
R. Ramsay, J. B. Ray.

Said bill was ordered to be engrossed, and read the third time Tuesday next.

Mr. Faxon submitted the following report:

The committee on Corporations other than Municipal, to whom was referred H. B. No. 169, to amend an act passed April 15, 1867, entitled an act to provide for the voluntary dissolution of corporations, having had the same under consideration, report it back, with the following amendments, and recommend its passage:

Strike out all after line 1 to the word "as" in line 14, and substitute the following: "Whenever the stockholders owning one-fourth or more in amount of the paid up stock of any corporation shall file in the office of the clerk of one of the courts mentioned in the first section of the act to which this is supplementary their petition containing the statement that for two out of the three last preceding years the net earnings of such corporation have not been sufficient to pay in good faith an annual dividend of six per centum upon the paid-up capital stock of said corporation, over and above the salaries and expenses authorized by the by-laws and regulations of such corporation, and that they therefore desire a dissolution of said corporation, said court shall thereupon make an order requiring the officers of such corporation within a reasonable time to file in said court the inventories, averments and facts required in section 2 of the act to which this is supplementary; and upon the filing of said inventories, accounts, statements and facts by said officers, said court shall proceed."

In line 17 strike out the word "thereafter," and insert "decree a dissolution of said corporation."

In line 18 strike out all after the word "statements" to the word "and," in line 19, and insert "contained in said petition to be true, or that there exists one or more of the reasons for dissolving corporations enumerated in section 7 of the act to which this is supplementary."

In line 20 strike out the words "decree the dissolution of such corporation and."

In line 23 strike out the word "amendatory," and insert "supplementary."

J. H. Faxon, P. A. J. Huston,
W. P. Howland, Wm. Van Meter.
Edward Brooke,

On motion of Mr. Faxon, said bill was laid on the table and ordered to be printed.

Mr. Conklin submitted the following report:

The committee on Claims, to whom was referred H. B. No. 278, for the relief of George C. Wilson, having had the same under consideration, report it back, with the following amendment, and recommend that it be engrossed and passed after being so amended:

"Section 2. This act shall take effect and be in force from and after its passage."

Wm. T. Conklin, O. B. Chapman,
J. W. Nelson, F. R. Loomis,
Geo. S. Baker, B. Neff.

The amendment was agreed to, and said bill ordered to be engrossed, and read the third time Monday next.

Mr. Murlin submitted the following report:

The committee on Municipal Corporations, to whom was referred S. B. No. 100, having had the same under consideration, report it back, and recommend its engrossment and passage.

E. W. Miller, Milt. McCoy,
Wm. Bell, Jr., Hiram Murlin.

Said bill was ordered to be read the third time Monday next.

Mr. Murlin submitted the following report:

The committee on New Counties and County Affairs, to whom was referred H. B. No. 297, to authorize the commissioners of Hocking county to receive donations and make appropriations for a purpose therein named, having had the same under consideration, report it back, and recommend its engrossment and passage.

Hiram Murlin, James Watson,
E. M. Walker, Richard Ramsay.

Said bill was ordered to be engrossed, and read the third time Tuesday next.

On motion of Mr. Robb, the vote by which H. B. No. 226 was lost was reconsidered.

On motion of Mr. Hill, said bill was then laid on the table.

Mr. Munson submitted the following report:

The committee on Common Schools and School Lands, to whom was referred H. B. No. 111, to provide for the organization, supervision and

maintenance of separate schools for colored youth, having had the same under consideration, report it back without recommendation.

A. W. MUNSON, G. W. LIGHT,
E. MARTIN, JOHNSON SHERRICK,
O. CASE, H. G. TRYON.

Said bill was ordered to be engrossed, and read the third time Wednesday next.

Mr. Howland submitted the following report:

The committee on Judiciary, to whom was referred H. B. No. 242, to amend section 7 of an act entitled an act to require mortgages or bills of sale of personal property to be deposited with the township clerks, passed February 24, 1846, having had the same under consideration, report it back, and recommend its engrossment and passage, with the following amendments, to wit:

Insert in section 1, line four, "and said township, in whole or part, is situate in a city of the first or second class." In line eleven, same section, strike out the word "preceding," and insert "subsequent to." Strike out the whole of section 2, and insert as section 2 the following: "This act shall be in force and take effect from and after its passage." Amend the title by striking out all of the first line of said title to the word "an," and insert the following: "Supplementary to."

W. H. HOWLAND, C. H. GROSVENOR,
WM. W. BEATTY, J. M. HAAG,
C. C. ARCHER, J. M. PATTISON,
T. M. ROBB, J. SCOTT.
J. H. HEITMANN,

The amendments were agreed to.

Said bill was then ordered to be engrossed, and read the third time Wednesday next.

Mr. Case submitted the following report:

The committee on Common Schools and School Lands, to whom was referred the memorial of sundry citizens of Jefferson township, Guernsey county, asking for the establishment of a sub-school district, having had the same under consideration, report it back, and ask to be discharged from its further consideration.

H. G. TRYON, G. W. LIGHT,
O. CASE, A. W. MUNSON,
J. A. MOOREHEAD, E. MARTN.
JOHNSON SHERRICK,

Said report was agreed to, and the committee discharged.

Mr. Howland submitted the following report:

The committee on Judiciary, to whom was referred H. B. No. 225, having had the same under consideration, report it back, and recommend its indefinite postponement.

W. P. HOWLAND, C. H. GROSVENOR,
C. C. ARCHER, J. SCOTT,
T. M. ROBB, J. M. PATTISON.

On motion of Mr. Howland, said bill was laid on the table.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has passed the following bills, in which the concurrence of the House of Representatives is requested:

S. B. No. 98—By Mr. Bingham: To amend an act entitled an act to incorporate sharpshooters associations, passed March 6, 1867. (S. & C., p. 200.)

S. B. No. 114—By Mr. Sheridan: To authorize boards of education of incorporated villages and special school districts in the State of Ohio to determine on places to pay interest and principal on bonds of which they are authorized to issue and sell.

Attest: S. K. DONAVIN, *Clerk.*

Said bills were read the first time.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has concurred in the passage of H. B. No. 144, to amend sections 2 and 4 of an act entitled an act to amend sections 1, 2, 4, 5, 6 and 11 of an act entitled an act to authorize county commissioners to construct roads on a petition of a majority of the resident land-owners along and adjacent to the line of said road, and to repeal an act therein named, passed March 29, 1868, after amending the same as follows:

In line 2 of section 1, strike out the words "sections two and," and insert the word "section."

Strike out all of section 1, after the word "follows," in the third line."

In section 2 strike out the words "sections two and," and insert the word "section;" also strike out the word "are," after the word "act," in the second line, and insert the word "is."

In line 1 of the title strike out the words "sections two and," and insert the word "section."

In which amendments to the bill and title the concurrence of the House of Representatives is requested.

Attest: S. K. DONAVIN, *Clerk.*

The question being on agreeing to Senate amendments to said bill, the yeas and nays were ordered, and resulted—yeas 61, nays 2, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Bay, Beach, Beatty, Bell, Blake, Boyce, Brooke, Brunner, Chapman of Meigs, Cole, Coler, Eidson, Eshelman, Green, Grosvenor, Hardy, Heitmann, Hill, Hoagland, Hodge, Holloway, Holt, Howland, Johnson, Kemp, Lewis, Light, Mann, Marx, McCloud, McCoy, McKinley, McLain, Mesloh, Munson, Murlin, Myers of Ashland, Myers of Fayette, Neff, Newell, Norton, Pearson, Poe, Richards, Richmond, Robb, Sater, Sherrick, Stone, Thompson of Lucas, Thompson of Montgomery, Van Meter, Vincent, Walker, Weible, White and Williams—61.

Messrs. Scott and Watson voted in the negative.

So the amendments were agreed to.

On motion of Mr. McLain, the vote on agreeing to the amendments was reconsidered.

On motion of Mr. Scott, said bill was then recommitted to the committee on Roads and Highways.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The following bills have been introduced in the Senate, and read the first time:

S. B. No. 141—By Mr. Reese: To provide for the examination and payment of certain military claims, and making an appropriation therefor.

S. B. No. 142—By Mr. Tressler: To provide for the removal of the seat of justice of Wood county from the incorporated village of Bowling Green to that of Perrysburg, in said county, and to authorize the mayor and town council of the incorporated village of Perrysburg and the trustees of the township of Perrysburg, in said county, to donate and convey certain property in case of such removal.

Attest: S. K. DONAVIN, *Clerk.*

The Speaker laid before the House a communication from the Auditor of State relative to joint resolution (O. L., Vol. 70, p. 407).

On motion of Mr. Scott, said communication was laid on the table, and ordered to be printed in the appendix to the Journal. (See appendix.)

Mr. Lewis submitted the following report:

The committee on Insane Asylums, to whom was referred S. B. No. 102, to organize a board of commissioners for the construction of the Central Lunatic Asylum, having had the same under consideration, report it back, and recommend its passage.

EDW. C. LEWIS, JAMES A. NORTON,
JACOB KEMP, ROBERT BARNETT.

Said bill was ordered to be read the third time Tuesday next.

Mr. Myers of Ashland submitted the following report:

The select committee of one to whom was referred H. B. No. 216, with instructions to amend, reports the same back, amended as instructed, viz., after the word "to," in line eight, section 5, insert the following: "sell the present infirmary and."

BENJ. MYERS.

The amendment was agreed to.

The question then being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 74, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Baker of Fairfield, Baker of Perry, Barnett, Bay, Beach, Beatty, Bell, Blake, Brooke, Brunner, Case, Carnahan, Chapman of Meigs, Cole, Coler, Conklin, Eidson, Eshelman, Faxon, Gowey, Green, Grosvenor, Hardy, Hatfield, Heitmann, Herron, Hill, Hoagland, Hodge, Holloway, Holt, Howland, Johnson, Kemp, Lewis, Light, Loomis, Mann, Marx, Martin, McCoy, McKinley, McLain, Mesloh, Morris, Munson, Murlin, Myers of Ashland, Myers of Fayette, Neff, Newell, Norton, Parker, Pearson, Poe, Richards, Richmond, Robb, Sater, Scott, Sheppard, Sherrick, Stone, Thompson of Lucas, Thompson of Montgomery, Tryon, Varley, Vincent, Walker, Watson, Weible, White and Williams—74.

So the bill passed. The title was agreed to.

Mr. Poe submitted the following report:

The select committee of one to whom was referred H. B. No. 6, limiting the compensation of certain officers therein named, having had the same under consideration, reports it back, with the following amendments:

Section 5, line 1, after the word "that," strike out "if." Same section, line nine, strike out the word "three," after the word "treasurer," and insert "five."

Section 14, line seven, strike out "nine," and insert "eight."

Section 18, strike out all after the word "paid" in lines 11, 12, 13 and 14.

And recommends its passage. J. M. POE.

The amendments were agreed to.

Said bill was then ordered to be engrossed, and read the third time Tuesday.

Mr. McCoy submitted the following report:

The select committee of one to whom was referred S. B. No. 61, having had the same under consideration, reports it back, amended as instructed.

M. McCoy.

Mr. McCoy moved to recommit the bill to a select committee of one, with instructions to amend as follows:

Section 1, line eight, after the word "citizens," insert the following words: "a majority of whom shall constitute a quorum." Line 15, strike out "12," and insert "30."

Section 2, line one, after the word "made," strike out all to the word "shall" in line twelve, and insert "the commissioners." Add at the end of section 2 the following words: "and the said commissioners shall cause an accurate description of each of said wards to be published in two daily newspapers printed in such city for five consecutive days after said plat is made; and the city council shall provide for the payment of the necessary expenses incurred by said commissioners in pursuance of this act."

Section 4, line five, strike out all after the word "officers" to and including the word "act," in line eight, and insert the following: "and the mayor, after the completion of the work of said commissioners, shall issue his proclamation for election in said city, in accordance with the boundaries of said new wards as established by the report of said commissioners."

Which was agreed to, and Mr. McCoy appointed said committee, who reported the bill back, amended as instructed.

The question then being on the engrossment of the amendments to said bill, the yeas and nays were demanded, ordered, and resulted—yeas 41, nays 30, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Beach, Bell, Boyce, Brooke, Brunner, Case, Coler, Conklin, Eshelman, Green, Haag, Hardy, Hatfield, Heitmann, Hill, Hoagland, Kemp, Light, McCoy, McKinley, Mesloh, Murlin, Newell, Norton, Parker, Pearson, Robb, Sater, Sheppard, Sherrick, Thompson of Montgomery, Van Meter, Walker, Watson, Weible and White—41.

Those who voted in the negative were—

Messrs. Bay, Beatty, Blake, Carnahan, Chapman of Meigs, Eidson, Gowey, Grosvenor, Herron, Hodge, Holloway, Johnson, Loomis, Mann, Marx, Martin, McLain, Morris, Munson, Myers of Fayette, Neff, Richards, Richmond, Scott, Stone, Thompson of Lucas, Tryon, Varley and Williams—30.

So the bill was ordered to be engrossed.

On motion of Mr. McCoy, the bill was then laid on the table.

Mr. Oren offered the following amendment to H. B. No. 249:

At the end of section 1 add: "And the various boards of education are also authorized, at their discretion, to furnish to such patrons of the schools under their control as in the opinion of said board are unable to purchase the same, such text-books as may be required in their schools, free of charge."

Said amendment was agreed to.

Said bill was then ordered to be engrossed, and read the third time Tuesday next.

Mr. Loomis submitted the following report:

The select committee of one to whom was referred H. B. No. 263, sup-

plementary to an act entitled an act for the relief of the poor, etc., passed April 26, 1872, having had the same under consideration, report it back, with the following amendments, and recommend its engrossment and passage:

Section 1, line seven, strike out the word "reserve," and insert the word "contingent."

Section 2, line four, strike out all after the word "voucher" to "said," in line five, and insert the words "upon the county auditor, and." In line six strike out "revenue," and insert "contingent."

Section 3, line two, strike out "reserve," and insert "contingent." In line five strike out "reserve," and insert "contingent."

F. R. LOOMIS.

The amendments were agreed to.

Said bill was then ordered to be engrossed, and read the third time Wednesday next.

Leave of absence was granted as follows: To Messrs. Mann, Newton and Inman until Monday, and to Mr. Oren until Tuesday next.

The following bill was introduced and read the first time:

H. B. No. 328—By Mr. Norton: To provide for the more economical management and better regulation of certain reformatory institutions of the State, and to repeal certain parts of acts therein named.

On motion of Mr. Van Meter, the select committee of twenty were discharged from further consideration of H. B. No. 238.

Mr. Kemp then offered the following amendments to the bill:

In section 1, line 28, strike out the word "seventh," and insert the word "tenth."

In section 1, line 31, strike out the word "Perry," and insert the word "Tuscarawas;" and in line 32 strike out the word "ninth," and insert the word "thirteenth."

In section 1, line 34, strike out the word "tenth," and insert the word "seventh."

In section 1, line 36, strike out the word "eleventh," and insert the word "fourteenth."

In section 1, line 38, strike out the word "twelfth," and insert the word "eleventh."

In section 1, line 40, strike out the word "thirteenth," and insert the word "ninth."

In section 1, line 42, strike out the word "fourteenth," and insert the word "twelfth."

In section 1, line 43, after the word "Monroe," insert the word "Perry."

In section 1, line 45, strike out the word "Tuscarawas," and insert the word "Carroll."

In section 1, line 47, strike out the word "Carroll."

In section 2 strike out lines 1 and 2, and insert the following: "That the act entitled an act to apportion the State of Ohio into Congressional districts, passed April 27, 1872, be and the same is hereby repealed, provided that all vacancies occurring in the Forty-second Congress shall be filled from the districts as apportioned by said last named act."

The amendments were agreed to, and said bill ordered to be engrossed, and read the third time Tuesday next.

Mr. Brunner offered the following resolution:

H. R. No. 89: *Resolved*, That the Comptroller of the Treasury be instructed, during the interim of the adjourned session of this General Assembly,

to make alterations in the post boxes for the use of the members of the House, so that their letters and papers may be more securely kept than under the present arrangement.

The question being on the adoption of the resolution, the yeas and nays were ordered, and resulted—yeas 47, nays 13, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Baker of Coshocton, Baker of Fairfield, Beatty, Brooke, Brunner, Case, Chapman of Meigs, Cole, Coler, Eidson, Eshelman, Gowey, Grosvenor, Haag, Hardy, Hatfield, Herron, Hill, Hodge, Holloway, Holt, Kemp, Lewis, Light, Loomis, McCoy, McKinley, McLain, Mesloh, Munson, Murlin, Neff, Newell, Norton, Poe, Richmond, Sater, Scott, Stone, Thompson of Lucas, Thompson of Montgomery, Tryon, Van Meter, Varley, Williams and Speaker—47.

Those who voted in the negative were—

Messrs. Barnett, Bell, Blake, Carnahan, Conklin, Heitmann, Hoagland, Marx, Myers of Fayette, Sherrick, Vincent, Walker and Weible—13.

So the resolution, having failed to receive a constitutional majority, was not adopted.

Mr. Neff offered for adoption the following resolution:

H. R. No. 90: WHEREAS, The present location of the Speaker's stand, in the hall of the House of Representatives, is such as to bring the light in the wrong direction for much the larger number of the members, and permits the existence of a noisome lobby that interferes with proper hearing in the hall, and also prevents further ventilation by the opening of more fire-places; therefore

Resolved, That the Superintendent of the State House is hereby required, during the vacation of the present Legislature, to remove the Speaker's stand, and place it between the centre columns, on the west side of the hall, in such position, and with changes of seats and such other changes, as said Superintendent, together with the Speaker of the House, who are hereby appointed a committee for that purpose, may deem proper; and said Superintendent is also required to open two fire places on the east side of the hall.

On motion of Mr. Neff, said resolution was referred to the committee on Public Buildings.

Mr. Van Meter, on leave, submitted the following report:

The committee on Universities and Colleges, to whom was referred S. B. No. 71, to amend the act entitled an act to establish and maintain an agricultural and mechanical college in Ohio, passed March 22, 1870, having had the same under consideration, report it back, and recommend its passage.

H. HARDY, J. B. SHEPPARD,
WM. VAN METER, LEBBEUS COLE.

Said bill was ordered to be read the third time Wednesday next.

On motion of Mr. Light, H. B. No. 274, to authorize the citizens of the village of Leipsic, Putnam county, to hold a special election, was read the third time.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 66, nays 1, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Baker of Coshocton, Baker of Fairfield, Barnett, Bay, Beach, Beatty, Bell, Blake, Boyce, Brooke, Case, Carnahan, Chapman of Meigs, Coler, Conklin, Eshelman, Gowey, Green, Grosvenor, Haag, Hardy, Hatfield, Heitmann, Herron, Hill, Hodge, Holloway, Holt, Johnson, Lewis,

Light, Loomis, Marx, McCoy, McKinley, McLain, Mesloh, Morris, Munson, Murlin, Myers of Fayette, Newell, Norton, Parker, Pearson, Poe, Richards, Richmond, Robb, Sater, Scott, Sherrick, Stone, Thompson of Lucas, Thompson of Montgomery, Tryon, Van Meter, Varley, Vincent, Walker, Watson, Weible, White, Williams and Speaker—66.

Mr. Hoagland voted in the negative.

So the bill passed. The title was agreed to.

Mr. Holt offered for adoption the following joint resolution:

H. J. R. No. 36: *Resolved by the General Assembly of the State of Ohio*, That a joint committee, consisting of two members of the House and one of the Senate, be appointed, whose duty it shall be to inquire into the sanitary condition of the cells in the Penitentiary, with a view of improving their condition, and also to inquire into the present system of convict labor in said prison, and to report to this body at its next session.

The question being on the adoption of the resolution, the yeas and nays were demanded, ordered, and resulted—yeas 65, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Baker of Coshocton, Baker of Fairfield, Barnett, Bay, Beach, Beatty, Bell, Blake, Boyce, Brooke, Brunner, Case, Carnahan, Chapman of Meigs, Coler, Conklin, Eshelman, Gowey, Grosvenor, Haag, Hardy, Heitmann, Herron, Hill, Hoagland, Hodge, Holloway, Holt, Howland, Johnson, Kemp, Lewis, Light, Loomis, Marx, McCoy, McKinley, McLain, Mesloh, Morris, Munson, Murlin, Myers of Fayette, Newell, Norton, Parker, Poe, Richards, Richmond, Robb, Sater, Scott, Sherrick, Stone, Thompson of Lucas, Thompson of Montgomery, Tryon, Van Meter, Varley, Vincent, Walker, Watson, Weible, White and Williams—66.

So the resolution was adopted.

On motion of Mr. Scott, the committee on Federal Relations was discharged from the further consideration of H. R. No. 29.

Mr. Scott then offered the following amendment to said resolution:

"*Resolved*, That the Governor be requested to forward to each of our Senators and Representatives in Congress a copy of these resolutions."

Which was agreed to.

The question being on the adoption of the resolution, the yeas and nays were demanded, ordered, and resulted—yeas 65, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Baker of Coshocton, Baker of Fairfield, Barnett, Bay, Beach, Beatty, Bell, Blake, Boyce, Brooke, Brunner, Carnahan, Coler, Conklin, Eidson, Eshelman, Gowey, Green, Grosvenor, Haag, Hardy, Hatfield, Heitmann, Herron, Hill, Hoagland, Holt, Howland, Johnson, Kemp, Lewis, Light, Loomis, Marx, McCoy, McKinley, McLain, Mesloh, Morris, Munson, Murlin, Myers of Fayette, Newell, Norton, Parker, Poe, Richards, Richmond, Robb, Sater, Scott, Sherrick, Stone, Thompson of Lucas, Thompson of Montgomery, Tryon, Van Meter, Varley, Vincent, Walker, Watson, Weible, White, Williams and Speaker—66.

So the resolution was adopted.

On motion of Mr. Scott, the committee of the Whole was discharged from the further consideration of H. B. No. 287, and the bill was then ordered to be engrossed, and read the third time Monday next.

On motion of Mr. McCoy, the ordering of S. B. No. 71 for third reading on Wednesday next was reconsidered, and said bill was then ordered to be read the third time Monday next.

Mr. Thompson of Lucas moved that the House do now adjourn.

On which motion the yeas and nays were demanded, ordered, and resulted—yeas 22, nays 3[illegible], as follows:

Those who voted in the affirmative were—

Messrs. Bay, Blake, Chapman of Meigs, Eidson, Gowey, Holloway, Howland, Johnson, Loomis, Marx, McLain, Morris, Munson, Myers of Fayette, Richards, Richmond, Scott, Stone, Thompson of Lucas, Tryon, Varley, Vincent and Williams—22.

Those who voted in the negative were—

Messrs. Archer, Baker of Coshocton, Baker of Fairfield, Barnett, Beach, Bell, Boyce, Brooke, Brunner, Case, Conklin, Eshelman, Green, Hardy, Hatfield, Heitmann, Hill, Hoagland, Holt, Kemp, Lewis, Light, McCoy, McKinley, Mesloh, Newell, Norton, Parker, Poe, Robb, Sater, Sherrick, Thompson of Montgomery, Van Meter, Walker, Watson, Weible, White and Speaker—38.

So the House refused to adjourn.

Mr. Norton moved that the House take a recess until 10 o'clock A.M. Monday next.

On which motion the yeas and nays were demanded, ordered, and resulted—yeas 36, nays 5.

No quorum voting, Mr. Beach demanded a call of the House, and 57 members answered to their names.

The absentees were Messrs. Armstrong of Belmont, Armstrong of Guernsey, Baker of Perry, Barrett, Baskin, Beatty, Chapman of Cuyahoga, Cole, Cooley, Conkright, Duncan, Faxon, Ford, Geghan, Gordon, Haag, Hardy, Harrison, Haven, Herron, Holloway, Huston, Inman, Mack, Mann, Martin, McCloud, Miller, Moorehead, Myers of Ashland, Neff, Nelson, Newton, Oren, Pattison, Pearson, Ramsay, Ray, Richards, Richmond, Sheppard, Varley, West and Williams.

The Sergeant-at-Arms was dispatched for absentees.

Mr. Scott moved that the House do now adjourn.

Which was not agreed to.

On motion of Mr. Scott, the Sergeant-at-Arms was dispatched for absentees, and the doors of the Hall ordered to be closed.

Mr. Gowey moved that the House do now adjourn.

On which motion the yeas and nays were demanded, ordered, and resulted—yeas 22, nays 41, as follows:

Those who voted in the affirmative were—

Messrs. Bay, Beatty, Blake, Carnahan, Chapman of Meigs, Coler, Eidson, Gowey, Grosvenor, Howland, Johnson, Loomis, Marx, McLain, Munson, Myers of Fayette, Richmond, Stone, Thompson of Lucas, Vincent and Williams—22.

Those who voted in the negative were—

Messrs. Archer, Baker of Coshocton, Baker of Fairfield, Barnett, Barrett, Beach, Bell, Boyce, Brooke, Brunner, Case, Conklin, Eshelman, Green, Haag, Hardy, Hatfield, Heitmann, Hill, Hoagland, Holt, Kemp, Lewis, McCoy, McKinley, Mesloh, Murlin, Neff, Newell, Norton, Parker, Poe, Robb, Sater, Scott, Sherrick, Thompson of Montgomery, Van Meter, Walker, Watson, Weible and White—41.

So the House refused to adjourn.

Mr. White moved that all further proceedings under the call be dispensed with.

Which was agreed to.

Mr. McCoy moved that the House do now take a recess until Monday morning at 10 o'clock.

Which was agreed to.

MONDAY, MARCH 23, 1874—10 o'clock A.M.

The House met pursuant to recess.

Prayer by Rev. John Baker.

Mr. Scott demanded a call of the House, and 58 members answered to their names.

The absentees were Messrs. Armstrong of Belmont, Armstrong of Guernsey, Barrett, Baskin, Bell, Brunner, Case, Chapman of Cuyahoga, Cole, Cooley, Conklin, Conkright, Duncan, Faxon, Ford, Geghan, Gowey, Gordon, Grosvenor, Harrison, Haven, Holt, Huston, Inman, Mack, Mann, Marx, Martin McCloud, Miller, Moorehead, Munson, Myers of Ashland, Neff, Nelson, Newell, Newton, Oren, Pattison, Pearson, Ramsay, Ray, Sheppard, Walker, Weible, West, White and Williams.

The Sergeant-at-Arms was dispatched for absentees.

On motion of Mr. Haag, further proceedings under the call were dispensed with.

Mr. Lewis, on leave, presented the remonstrance of J. A. Hostetter, R. E. Watson and 230 other citizens of Tuscarawas county, against the repeal or modification of the present liquor laws of the State of Ohio.

Which was referred to the committee on Temperance.

Leave of absence was granted Mr. West for an indefinite time on account of sickness.

On motion of Mr. Sater, H. B. No. 306 was taken from the table and read the second time.

Said bill was referred to the committee on New Counties and County Affairs.

Mr. McCoy offered the following resolution:

H. J. R. No. 37: Relative to printing copies of Agricultural Reports.

Resolved by the General Assembly of the State of Ohio, That the Secretary of State be authorized and required by law, under and in accordance with a law passed March 24, 1860, to provide for the execution and supervision of the State printing and binding, under the joint supervision of the Supervisor of State Printing and the Secretary of the State Board of Agriculture, to have printed and bound twenty thousand copies of the report of the State Board of Agriculture for the year 1873, and twenty thousand copies of the report for the year 1874, of which ten per cent. shall be printed in German, and the size of the type and mechanical execution to conform to the report of said board for the year 1872: Provided, that nothing shall be published in said reports except such matter as is authorized by law, not to exceed in size the report of 1872; 3,000 copies of the report of 1873 and 3,000 copies of the report of 1874, to be subject to the order of the State Board of Agriculture for exchange and foreign distribution; 17,000 copies of the report of each of said years 1873 and 1874 the Secretary of State shall apportion among the present members of the General Assembly, the number of German copies for each member to be determined by a list to be furnished the said Secretary of State by the committee on Agriculture from each house, on which list shall be stated the names of members desiring German copies and the number desired by each; said reports shall be boxed up and directed to the care of the county auditor in the counties in which they respectively reside; and it shall be the duty of said county auditor to notify the respective members within ten days after the receipt of said reports, and if not removed by the person to whom directed, or on his written order, within thirty days, then the reports are to be delivered by the auditor to the president of the county agricultural society for distribution. The charge for the trans-

portation of the said reports, as well as the charges for boxes, shall be paid for in the same manner as is or may be provided by law for the distribution of the laws and journals.

The question being on the adoption of said resolution, the yeas and nays were ordered, and resulted—yeas 53, nays 3, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Bay, Beach, Beatty, Blake, Boyce, Brooke, Case, Carnahan, Chapman of Meigs, Coler, Eidson, Eshelman, Haag, Hardy, Hatfield, Heitmann, Herron, Hill, Hoagland, Hodge, Holloway, Johnson, Kemp, Lewis, Loomis, McCoy, McKinley, McLain, Mesloh, Morris, Murlin, Myers of Fayette, Parker, Poe, Richmond, Robb, Sater, Scott, Sheppard, Sherrick, Stone, Thompson of Lucas, Thompson of Montgomery, Tryon, Van Meter, Varley, Vincent and Watson—53.

Messrs. Bell, Norton and Pearson voted in the negative.

So the resolution was adopted.

On motion of Mr. Herron, S. B. No. 134 was read the second time, and referred to the committee on Common Schools and School Lands.

Mr. Richmond offered the following resolution:

H. J. R. No. 38: Relating to the printing and binding of the report of the Ohio Horticultural Society.

Resolved by the General Assembly of the State of Ohio, That the Supervisor of State Printing be and he is hereby instructed to cause five hundred copies of the report of the Ohio Horticultural Society for the year 1873 to be printed and bound separate from the Agricultural report, in pamphlet form, for the use of the members of said society.

The question being on the adoption of said resolution, the yeas and nays were ordered, and resulted—yeas 53, nays 3, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Bay, Beach, Beatty, Bell, Blake. Brooke, Case, Chapman of Meigs, Coler, Conklin, Eidson, Eshelman, Green, Hardy, Heitmann, Herron, Hill, Hodge, Howland, Johnson, Kemp, Lewis, Loomis, McCoy, McKinley, Mesloh. Morris, Murlin, Myers of Fayette, Pattison, Pearson, Poe, Richards, Richmond, Robb, Sater, Scott, Sheppard, Sherrick, Stone, Thompson of Lucas, Thompson of Montgomery, Tryon, Van Meter, Varley, Vincent, Watson and Speaker—53.

Messrs. Beatty, Hoagland and Parker voted in the negative.

So the resolution was adopted.

The following communication was received from the Governor:

EXECUTIVE DEPARTMENT,
COLUMBUS, *March* 21, 1874.

To the General Assembly:

I have the honor herewith to transmit a communication addressed to this department by the Trustees of the Institution for the Blind, asking for an additional appropriation of seventeen thousand dollars to complete the new building; and I respectfully call your attention to it. Having received but one copy of the communication, it is sent to the Senate.

Respectfully, W. ALLEN, *Governor.*

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has concurred in House amendments to S. B. No. 10, to amend section 28 of the code of civil procedure.

Attest: S. K. DONAVIN, *Clerk.*

MESSAGE FROM THE SENATE.

Mr. Speaker:

The following bills have been introduced in the Senate and read the first time:

S. B. No. 141—By Mr. Reese: To provide for the examination and payment of certain military claims, and making an appropriation therefor.

S. B. No. 142—By Mr. Tressler: To provide for the removal of the seat of justice of Wood county from the incorporated village of Bowling Green to that of Perrysburg, in said county, and to authorize the mayor and town council of the incorporated village of Perrysburg and the trustees of the township of Perrysburg, in said county, to donate and convey certain property in case of such removal.

S. B. No. 143—By Mr. Corwin: To amend section 357 of an act to provide for the organization and government of municipal corporations, passed May 7, 1869.

S. B. No. 144—By Mr. Jones: To authorize the board of education of the special school district of Mineral Ridge, Trumbull county, to borrow money and issue bonds therefor.

S. B. No. 145—By Mr. Yeoman: To authorize the trustees of Paint township, Fayette county, Ohio, to divide said township so as to create two election precincts.

S. B. No. 146—By Mr. Potter: To authorize the trustees of Manhattan township, Lucas county, Ohio, to borrow money.

Attest: S. K. DONAVIN, *Clerk.*

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate concurs in House amendment to S. J. R. No. 33, expressing sorrow for the death of United State Senator Charles Sumner.

Attest: S. K. DONAVIN, *Clerk.*

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has concurred in House amendments to S. B. No. 49, supplementary to and explanatory of an act entitled an act for the reorganization and maintenance of common schools, passed May 1, 1873.

Attest: S. K. DONAVIN, *Clerk.*

Mr. Scott, on leave, presented the petition of Paul Williams and 66 other citizens of Washington township, Warren county, for the relief of William Van Doran, treasurer of said township.

Which was referred to the committee on New Counties and County Affairs.

Mr. Scott presented the petition of Edward Kimball and 62 other citizens of Warren and Butler counties, asking for the passage of H. B. No. 203, relative to school books.

Which was referred to the committee on Common Schools and School Lands.

Mr. Heitmann, on leave, presented the petition of J. H. Simkins and 127 other citizens of Franklin county, praying for the passage of H. B. No. 203, McCoy's text-book bill.

Which was referred ts the committee of the Whole House.

Mr. Hodge offered the following resolution:

H. J. R. No. 49: WHEREAS, There has been introduced into the Congress of the United States a bill a section of which provides as follows: "That all issues of arms and other ordnance stores which were made by the War department to the States and Territories between the 1st day of January,

1861, and the 9th day of April, 1865, under the act of April 23, 1808, and charged to the States and Territories, having been made for the maintenance and preservation of the Union, are properly chargeable to the United States; and the Secretary of War is hereby authorized to credit the several States and Territories with the sums charged to them respectively for arms and other ordnance stores which were issued to them between the aforementioned dates, and charged against their quotas under the law for arming and equipping the militia: Provided, that each State and Territory, before receiving credit for the issues charged to them, shall return the property to the Ordnance department free of charge to the United States, or give satisfactory evidence to the Secretary of War that it was expended or otherwise disposed of in the public service during the rebellion;" and

WHEREAS, The anactment of such a provision of law would be just to the State; therefore

Resolved by the General Assembly of the State of Ohio, That our Senators and Representatives in Congress be and they are hereby respectfully requested to urge the passage of a law containing the provision above set forth.

Resolved, That a copy of the foregoing be transmitted to our Senators and Representatives in Congress.

The question being on the adoption of the resolution, the yeas and nays were ordered, and resulted—yeas 54, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Baker of Coshocton, Baker of Perry, Barnett, Bay, Beach, Beatty, Bell, Blake, Brooke, Case, Carnahan, Chapman of Meigs, Coler, Eidson, Eshelman, Green, Haag, Hardy, Heitmann, Herron, Hoagland, Hodge, Johnson, Kemp, Lewis, Loomis, Marx, McCoy, McKinley, McLain, Mesloh, Morris, Murlin, Myers of Fayette, Norton, Parker, Pattison, Pearson, Richards, Richmond, Robb, Sater, Scott, Sheppard, Sherrick, Stone, Thompson of Lucas, Thompson of Montgomery, Tryon, Van Meter, Varley, Vincent, Watson and Speaker—54.

So the resolution was agreed to.

On motion of Mr. Poe, H. B. No. 312 was read the second time, and referred to a select committee of three—Messrs. Robb, Howland and Beatty.

Mr. Parker presented the petion of F. H. Devore and 351 other citizens of Brown county, against any change in the Adair liquor law.

Which was referred to the committee on Temperance.

Mr. Johnson offered the following resolution, which was adopted:

H. R. No. 91: WHEREAS, Many members of the House of Representatives have doubts of the legality of enactments authorizing commissioners of counties in this State to levy taxes upon the taxable property of their respective counties, to be used in paying the debts and improving the grounds of agricultural societies; therefore

Resolved, That the Attorney-General be requested to report to this House at an early day his opinion whether such societies come under the restrictions of section 6, article 8, of the constitution, or not.

On motion of Mr. Lewis, the House took a recess until 4 o'clock P. M., for the purpose of visiting the Central Lunatic Asylum.

FOUR O'CLOCK P.M.

Mr. Chapman of Cuyahoga asked and obtained leave to record his vote on H. J. R. No. 36, and his name being called, he voted in the affirmative.

Mr. Boyce submitted the following report:

The committee on Revision have examined, and found correctly engrossed, House Bills Nos. 202, 259, 278, 286, 287 and 309.

GEO. W. BOYCE, WM. M. MCKINLEY,
JON. MORRIS, JOHNSON SHERRICK,
ORVIL BLAKE, E. B. PARKER.

On motion of Mr. Heitmann, S. B. No. 69 was taken from the table, and read the second time.

Said bill was recommitted to the committee on Municipal Corporations.

H. B. No. 259, to create two election precincts in the township of Salem, Columbiana county, was read the third time.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 47, nays 17, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Baker of Coshocton, Bay, Beach, Bell, Blake, Carnahan, Chapman of Cuyahoga, Conklin, Duncan, Hardy, Herron, Hodge, Holloway, Howland, Johnson, Lewis, Mann, Marx, Martin, McCoy, McLain, Moorehead, Morris, Myers of Fayette, Newell, Parker, Pattison, Pearson, Poe, Ramsay, Richmond, Robb, Sater, Scott, Stone, Thompson of Lucas, Thompson of Montgomery, Tryon, Varley, Vincent, White and Williams—47.

Those who voted in the negative were—

Messrs. Baker of Fairfield, Barnett, Beatty, Boyce, Brooke, Case, Cole, Eidson, Eshelman, Heitmann, Hoagland, Holt, Inman, McKinley, Neff, Sherrick and Van Meter—17.

So the bill, not having received a constitutional majority, was lost.

Mr. Robb submitted the following report:

The select committee to whom was referred H. B. No. 312, to amend section 29 of an act establishing the superior court for the city of Cleveland, passed May 5, 1873, having had the same under consideration, report it back, with the recommendation that it be engrossed and passed.

T. M. ROBB,
WM. W. BEATTY,
W. P. HOWLAND.

Said bill was ordered to be engrossed, and read the third time to-morrow.

On motion of Mr. Thompson of Montgomery, H. B. No. 287, for the relief of Walter Crook, was read the third time.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 66, nays 2, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Barrett, Bay, Beach, Beatty, Bell, Blake, Boyce, Brooke, Carnahan, Chapman of Cuyahoga, Cole, Coler, Conklin, Duncan, Eidson, Eshelman, Hatfield, Heitmann, Herron, Hill, Hodge, Holloway, Holt, Howland, Inman, Johnson, Kemp, Mann, Martin, McCoy, McKinley, Mesloh, Moorehead, Morris, Murlin, Myers of Fayette, Neff, Newell, Norton, Parker, Pattison, Pearson, Ramsay, Richards, Richmond, Robb, Sater, Scott, Sheppard, Sherrick, Stone, Thompson of Lucas, Thompson of Montgomery, Tryon, Van Meter, Varley, Vincent, Watson, White and Williams—66.

Messrs. Hoagland and McLain voted in the negative.

So the bill passed. The title and preamble were agreed to.

On motion of Mr. Haag, S. B. No. 119 was taken from the table and read the second time.

On motion of Mr. Johnson, said bill was referred to the committee on the Judiciary.

On motion of Mr. Pearson, H. B. No. 275 was taken from the table, and referred to a select committee of one—Mr. Pearson.

H. B. No. 286, to authorize the trustees of Orange township, Carroll county, Ohio, to join with the council of the incorporated village of Leesville, in said township, in the construction of a town hall for the joint use of said township and village, and to authorize private persons to join with them in the construction of such hall, was read the third time.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 61, nays none as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Barrett, Bay, Bell, Blake, Boyce, Brooke, Case, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Cole, Coler, Conklin, Duncan, Eidson, Eshelman, Gordon, Green, Haag, Hatfield, Heitmann, Herron, Hodge, Holt, Howland, Inman, Johnson, Mann, Martin, McKinley, McLain, Mesloh, Moorehead, Murlin, Myers of Fayette, Neff, Pattison, Pearson, Poe, Ramsay, Richards, Richmond, Robb, Sater, Scott, Sheppard, Thompson of Lucas, Thompson of Montgomery, Tryon, Van Meter, Varley, Vincent, Watson, White and Williams—61.

So the bill passed. The title was agreed to.

Mr. Haag submitted the following report:

The committee on the Judiciary, to whom was referred S. B. No. 119, to amend the 1st section of an act entitled an act relating to wills, and the repeal of former acts relating thereto, passed May 3, 1852, took effect June 1, 1852, having had the same under consideration, report it back, and recommend its passage.

Wm. W. Beatty,	J. M. Pattison,
J. Scott,	T. M. Robb,
C. C. Archer,	C. H. Grosvenor,
W. P. Howland,	J. M. Haag.

On motion of Mr. Haag, the constitutional rule was dispensed with, and said bill was read the third time.

The question then being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 67, nays 2, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Baker of Coshocton, Baker of Perry, Barnett, Bay, Beach, Beatty, Bell, Blake, Boyce, Brooke, Case, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Cole, Coler, Conklin, Duncan, Eidson, Eshelman, Gordon, Green, Haag, Hatfield, Heitmann, Hill, Hoagland, Hodge, Holloway, Holt, Howland, Inman, Johnson, Kemp, Lewis, Mann, Marx, Martin, McLain, Mesloh, Moorehead, Morris, Murlin, Myers of Fayette, Neff, Newell, Norton, Parker, Pearson, Poe, Richards, Robb, Sater, Scott, Sheppard, Stone, Thompson of Lucas, Thompson of Montgomery, Tryon, Van Meter, Varley, Vincent, Watson, White and Williams—67.

Messrs. Baker of Fairfield and Herron voted in the negative.

So the bill passed. The title was agreed to.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has adopted the following joint resolution, in which the concurrence of the House of Representatives is requested:

S. J. R. No. 17—By Mr. Buell: Relative to the relief of T. F. and W. A. Jones, contractors.

Attest: S. K. DONAVIN, *Clerk.*

On motion of Mr. Thompson of Lucas, said resolution was referred to the committee on Insane Asylums.

On motion of Mr. Eshelman, S. B. No. 7 was taken from the table, and referred to the committee on Finance.

The following bill was introduced, and read the first time:

H. B. No. 329—By Mr. Beatty: To release sureties of executors and administrators, and to punish them for certain offenses therein named.

On motion of Mr. Chapman of Cuyahoga, the ordering of H. B. No. 192 for third reading on Wednesday next was reconsidered.

Said bill was then read the third time.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 47, nays 13, as follows:

Those who voted in the affirmative were—

Messrs. Baker of Coshocton, Barnett, Beatty, Bell, Blake, Case, Carnahan, Chapman of Cuyahoga, Cole, Coler, Conklin, Eidson, Eshelman, Gordon, Green, Hardy, Herron, Hoagland, Hodge, Holloway, Howland, Inman, Johnson, Kemp, Lewis, Mann, Marx, Martin, McCoy, McKinley, McLain, Moorehead, Munson, Myers of Fayette, Neff, Norton, Pattison, Pearson, Poe, Robb, Scott, Sherrick, Thompson of Lucas, Van Meter, Watson, White and Williams—47.

Those who voted in the negative were—

Messrs. Baker of Perry, Brooke, Heitmann, Hill, Mesloh, Murlin, Newell, Parker, Richards, Stone, Thompson of Montgomery, Varley and Vincent—13.

So the bill, having failed to receive a constitutional majority, was lost.

Mr. McCoy submitted the following report:

The committee on Agriculture, to whom was referred S. B. No. 30, for the prosecution and punishment of certain offenses therein named, having had the same under consideration, report it back, with the following amendments, and recommend its passage:

Section 1, line 3, insert before the word "clerks" the words "clerk or." Same line, after the words "convert to," insert the words "his or." Line 6, after the word "pork," insert the following: "live stock or poultry." Line 12, strike out the following words: "within ten days after demand made by the consignor." Line 16, strike out after the words "hundred dollars" the word "and," and insert the word "or." Line 17, after the words "ten days," insert the words "or both."

MILT. MCCOY, ROBERT BARNETT,
T. E. SATER, H. M. CHAPMAN.
J. F. THOMPSON,

The amendments were agreed to, and said bill ordered to be engrossed, and read the third time to-morrow.

Mr. Pattison submitted the following report:

The joint committee on Enrollment have examined, and found correctly enrolled, the following bill:

H. B. No. 12: To secure pay to persons performing labor or furnishing materials in constructing railroads.

J. M. PATTISON, A. M. BURNS,
E. B. PARKER, M. C. LAWRENCE,
H. M. CHAPMAN, S. KNOX,
HENRY HARDY, J. C. FISHER.
B. NEFF,

The Speaker, in the presence of the House, signed said bill.

Mr. Eidson moved that the House do now adjourn.

On which motion the yeas and nays were demanded, ordered, and resulted—yeas 32, nays 41, as follows:

Those who voted in the affirmative were—

Messrs. Barrett, Bay, Blake, Carnahan, Chapman of Cuyahoga, Coler, Duncan, Eidson, Gowey, Herron, Hodge, Holloway, Holt, Howland, Johnson, Mann, Marx, Martin, McLain, Morris, Munson, Myers of Fayette, Neff, Ramsay, Richards, Scott, Stone, Thompson of Montgomery, Tryon, Varley, Vincent and Williams—32.

Those who voted in the negative were—

Messrs. Archer, Baker of Coshocton, Baker of Fairfield, Barnett, Beach, Bell, Boyce, Brooke, Case, Cole, Conklin, Eshelman, Gordon, Green, Hardy, Hatfield, Heitmann, Hill, Hoagland, Inman, Kemp, Lewis, McCoy, McKinley, Mesloh, Moorehead, Murlin, Newell, Norton, Parker, Pattison, Pearson, Poe, Robb, Sater, Sheppard, Sherrick, Van Meter, Watson, White and Speaker—41.

So the House refused to adjourn.

Mr. McCoy then moved that the House take a recess until 10 o'clock A.M. to-morrow.

On which motion the yeas and nays were demanded, ordered, and resulted—yeas 46, nays 8, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Beach, Bell, Boyce, Brooke, Case, Carnahan, Cole, Conklin, Eidson, Eshelman, Gordon, Green, Hardy, Hatfield, Heitmann, Hill, Hoagland, Inman, Kemp, Lewis, McCloud, McCoy, McKinley, Mesloh, Moorehead, Murlin, Newell, Norton, Parker, Pattison, Pearson, Poe, Richards, Robb, Sater, Sheppard, Sherrick, Thompson of Montgomery, Van Meter, Watson, White and Speaker—46.

Those who voted in the negative were—

Messrs. Blake, Coler, Mann, Myers of Fayette, Neff, Ramsay, Vincent and Williams—8.

Messrs. Chapman of Meigs, Duncan, Hodge, Howland, Johnson, Marx, Martin, Scott, Thompson of Lucas, and Varley were present, but refused to vote.

So the motion was agreed to, and the House took a recess.

TUESDAY, MARCH 24, 1874—10 o'clock A.M.

The House met pursuant to recess.

Prayer by Rev. John Baker.

Mr. Thompson of Lucas moved a reconsideration of the vote whereby S. J. R. No. 17 was referred to the committee on Insane Asylums.

Which was agreed to, and, on his motion, the resolution was recommitted to the committee on Finance.

Mr. Heitmann submitted the following report:

The committee on Judiciary, to whom was referred S. B. No. 107, to extend the provisions of the act entitled an act to promote and encourage law library associations, passed April 27, 1872, having had the same under consideration, report it back, and recommend its passage.

J. H. HEITMANN, C. C. ARCHER,
T. M. ROBB, J. M. HAAG,
W. P. HOWLAND, J. M. PATTISON.
WM. W. BEATTY,

On motion of Mr. Heitmann, said bill was read the third time.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 69, nays 1, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Guernsey, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Barrett, Bay, Beach, Beatty, Bell, Brooke, Brunner, Case, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Cole, Coler, Cooley, Conklin, Conkright, Duncan, Eidson, Eshelman, Faxon, Green, Haag, Hardy, Harrison, Heitmann, Hoagland, Holloway, Howland, Huston, Inman, Johnson, Kemp, Light, Mack, Marx, Martin, McCloud, Mesloh, Moorehead, Munson, Murlin, Myers of Fayette, Neff, Nelson, Newton, Norton, Oren, Parker, Poe, Ramsay, Ray, Richards, Robb, Sater, Sheppard, Stone, Thompson of Lucas, Thompson of Montgomery, Van Meter, Varley, Vincent, Walker, Weible and Williams —69.

Mr. Scott voted in the negative.

So the bill was passed. The title was agreed to.

On motion of Mr. Thompson of Lucas, S. B. No. 100, to extend the provisions of an act entitled an act supplementary to an act to provide for the organization and government of municipal corporations, passed May 7, 1869, amended January 29, 1873, to cities of the first class which have been advanced to that grade during decennial periods, was read the third time.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 56, nays 19, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Guernsey, Baker of Coshocton, Baker of Fairfield, Barnett, Bay, Beach, Beatty, Bell, Brooke, Brunner, Case, Chapman of Cuyahoga, Chapman of Meigs, Cole, Cooley, Conklin, Eshelman, Green, Haag, Hardy, Haven, Hoagland, Howland, Huston, Inman, Johnson, Kemp, Lewis, Light, McCoy, Mesloh, Moorehead, Munson, Murlin, Nelson, Newton, Norton, Oren, Parker, Pattison, Poe, Robb, Sater, Sheppard, Stone, Thompson of Lucas, Thompson of Montgomery, Van Meter, Varley, Vincent, Walker, Watson, Weible, White and Williams —56.

Those who voted in the negative were—

Messrs. Armstrong of Belmont, Carnahan, Conkright, Duncan, Eidson, Faxon, Ford, Harrison, Heitmann, Herron, Hill, Holloway, Mack, Marx, Martin, Myers of Fayette, Ray, Richards and Scott—19.

So the bill passed.

On motion of Mr. Thompson of Lucas, the title was amended as follows: Strike out the words "May 7, 1869," and insert "February 10, 1870."

The title, as amended, was agreed to.

On motion of Mr. Neff, the vote by which H. B. No. 259 was lost was reconsidered.

The question then being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 56, nays 17, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Armstrong of Guernsey, Baker of Coshocton, Bay, Brooke, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Cole, Cooley, Conkright, Duncan, Faxon, Ford, Gowey, Green, Harrison, Haven, Herron, Hodge, Holloway, Holt, Howland, Johnson, Kemp, Lewis, Light, Loomis, Mack, Mann, Martin, McCoy, McLain, Moorehead, Munson, Murlin, Myers of Fayette, Neff, Newton, Oren, Parker, Pattison, Poe, Ramsay, Richards, Richmond, Sater, Scott, Stone, Thompson of Lucas, Tryon, Varley, Walker, White and Williams—56.

Those who voted in the negative were—

Messrs. Baker of Fairfield, Baker of Perry, Barnett, Barrett, Eidson, Eshelman, Hardy, Heitmann, Hill, Hoagland, Huston, Inman, Mesloh, Sheppard, Thompson of Montgomery, Vincent and Weible—17.

So the bill passed. The title was agreed to.

Mr. Brooke presented the memorial of John Sweeney, of Suffield township, Portage county.

Which was read, and referred to the committee on Finance.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The following bills have been introduced in the Senate and read the first time:

S. B. No. 147—By Mr. Thompson: To amend section 3 of an act entitled an act to provide for the erection and maintenance of chutes for the passage of fish over the dams across the streams of this State, passed and took effect January 31, 1871.

S. B. No. 148—By Mr. Newman: To amend section 1 of an act entitled an act to fix the rates of toll on turnpike and plank-road companies, passed March 16, 1865. (S. & S., p. 147.)

S. B. No. 149—By Mr. Waddle: To abolish the office of Commissioner of Railroads and Telegraphs.

Attest: S. K. DONAVIN, *Clerk.*

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has refused to concur in the House amendment to H. B. No. 4, to amend section 13 of an act of May 1, 1852, entitled an act to provide for the creation and regulation of incorporated companies in the State of Ohio, as amended April 25, 1873.

Attest: S. K. DONAVIN, *Clerk.*

On motion of Mr. McLain, the House insisted on its amendments, and asked for a committee of conference.

On motion of Mr. Brooke, S. B. No. 105, to amend section 5 of an act entitled an act to provide for a uniform standard of weights and measures, passed April 11, 1861, was read the third time.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 48, nays 30, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Guernsey, Baker of Coshocton, Baker of Fairfield, Barnett, Beach, Beatty, Blake, Brooke, Carnahan, Chapman of Meigs, Cole, Coler, Cooley, Conkright, Eshelman, Harrison, Haven, Heitmann, Herron, Hodge, Holloway, Inman, Lewis, Loomis, Mann, McCloud,

McCoy, McKinley, Munson, Murlin, Nelson, Newton, Norton, Oren, Parker, Pattison, Ramsay, Ray, Richards, Richmond, Sherrick, Stone, Thompson of Lucas, Thompson of Montgomery, Van Meter, Varley and Walker—48.

Those who voted in the negative were—

Messrs. Armstrong of Belmont, Chapman of Cuyahoga, Conklin, Duncan, Eidson, Faxon, Gowey, Green, Grosvenor, Haag, Hardy, Hoagland, Huston, Johnson, Light, Mack, Marx, McLain, Mesloh, Morris, Myers of Fayette, Newell, Pearson, Robb, Sater, Scott, Sheppard, Weible, White and Williams—30.

So the bill, not having received a constitutional majority, was lost.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has concurred in the passage of H. B. No. 85, to amend section 6 of an act entitled an act to amend section 1 of an act passed May 16, 1868, entitled an act to amend original section 6 of the act entitled an act relating to the organization of courts of justice and their powers and duties, passed February 19, 1852, and has amended the title thereof as follows, in which the concurrence of the House of Representatives is requested:

"To amend section 6 of the act entitled an act relating to the organization of courts of justice and their powers and duties, passed February 19, 1852, and amended May 16, 1868. (S. & S., 249.)"

Attest: S. K. DONAVIN, *Clerk.*

The Senate amendment to the title of said bill was agreed to.

Mr. Blake submitted the following report:

The committee on Revision have examined, and found correctly engrossed, Senate Bills Nos. 112, 40, 87, 85, 9 and 30.

ORVIL BLAKE, JON. MORRIS,
WILLIAM M. MCKINLEY, JOHNSON SHERRICK.
GEO. W. BOYCE,

On motion of Mr. Barnett, S. B. No. 112, for the relief of the board of education of the city of Mansfield, Ohio, was read the third time.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 73, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Armstrong of Guernsey, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Barrett, Bay, Beach, Blake, Boyce, Case, Chapman of Cuyahoga, Chapman of Meigs, Cole, Cooley, Conklin, Conkright, Duncan, Eidson, Eshelman, Faxon, Green, Grosvenor, Haag, Hardy, Harrison, Hatfield, Heitmann, Herron, Hodge, Holloway, Holt, Howland, Huston, Inman, Johnson, Kemp, Lewis, Light, Loomis, Mack, Mann, Marx, Martin, McCloud, McCoy, Mesloh, Munson, Myers of Fayette, Neff, Newell, Newton, Oren, Parker, Pattison, Pearson, Ramsay, Ray, Richards, Robb, Sater, Scott, Thompson of Lucas, Thompson of Montgomery, Tryon, Van Meter, Vincent, Walker, Watson, Weible and Williams—73.

So the bill passed. The title was agreed to.

On motion of Mr. Howland, H. B. No. 156 was taken from the table.

The amendments to said bill reported by the committee on the Judiciary were agreed to.

Said bill was then ordered to be engrossed, and read the third time Thursday next.

Mr. McKinley submitted the following report:

The committee on Revision have examined, and found correctly engrossed, House Bills Nos. 55, 205, 238, 250, 249, 267, 253, 286, 297, 312, 261, 262, 6 and 285.

WILLIAM M. MCKINLEY, JOHNSON SHERRICK,
ORVIL BLAKE, JON. MORRIS.
GEO. W. BOYCE,

On motion of Mr. Haag, H. B. No. 253, for the relief of D. S. Wood, ex-Quartermaster-General of the State, was read the third time.

Pending the discussion of which, on motion of Mr. Harrison, the House took a recess.

HALF-PAST TWO O'CLOCK P.M.

The House resumed the consideration of H. B. No. 253.

Mr. Holloway demanded a call of the House, and 99 members answered to their names.

The absentees were Messrs. Baskin, Geghan, Haven, McLain, Morris and West.

The Sergeant-at-Arms was dispatched for absentees.

On motion of Mr. Haag, further proceedings under the call were dispensed with.

The question then being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 54, nay 32, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Armstrong of Guernsey, Baker of Coshocton, Barrett, Bay, Beatty, Blake, Brooke, Brunner, Chapman of Cuyahoga, Chapman of Meigs, Cooley, Duncan, Edson, Faxon, Gowey, Gordon, Grosvenor, Haag, Harrison, Haven, Heitmann, Herron, Hodge, Holloway, Holt, Johnson, Loomis, Mack, Marx, Martin, McCloud, McLain, Miller, Munson, Myers of Fayette, Neff, Newton, Norton, Parker, Pattison, Ramsay, Ray, Richards, Richmond, Robb, Sater, Stone, Thompson of Lucas, Tryon, Varley, Vincent and Williams—54.

Those who voted in the negative were—

Messrs. Baker of Fairfield, Baker of Perry, Barnett, Bell, Boyce, Cole, Conklin, Conkright, Eshelmann, Green, Hardy, Hatfield, Hill, Hoagland, Howland, Huston, Inman, Kemp, McKinley, Moorehead, Nelson, Newell, Oren, Poe, Scott, Sheppard, Sherrick, Thompson of Montgomery, Van Meter, Walker, Weible and White—32.

So the bill passed. The title was agreed to.

Mr. Brunner, from the select joint committee, submitted a report in answer to S. J. R. No. 28, relative to the account of stationery furnished the Constitutional Convention by the Secretary of State.

On motion of Mr. Brunner, said report was laid on the table, and ordered to be printed in the appendix. (See appendix.)

On motion of Mr. Archer, S. B. No. 102, to organize a board of commissioners for the construction of the Central Lunatic Asylum, was read the third time.

Mr. Grosvenor moved to recommit the bill to a select committee of one, with instructions to amend as follows: Strike out the words "one thousand dollars," and insert "their actual expenses, and no more."

On which motion the yeas and nays were demanded, ordered, and resulted—yeas 46, nays 53, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Barrett, Bay,

Beatty, Blake, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Cooley, Conkright, Duncan, Eidson, Faxon, Ford, Gowey, Grosvenor, Harrison, Haven, Herron, Hodge, Holloway, Holt, Howland, Loomis, Mack, Mann, Marx, Martin, McLain, Munson, Myers of Fayette, Neff, Newton, Oren, Ramsay, Ray, Richards, Richmond, Scott, Stone, Thompson of Lucas, Tryon, Varley, Vincent and Williams—46.

Those who voted in the negative were—

Messrs. Archer, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Beach, Bell, Boyce, Brook, Brunner, Case, Cole, Conklin, Eshelman, Gordon, Green, Haag, Hardy, Hatfield, Heitmann, Hill, Hoagland, Huston, Inman, Kemp, Lewis, Light, McCloud, McCoy, McKinley, Mesloh, Miller, Moorehead, Murlin, Myers of Ashland, Nelson, Newell, Norton, Parker, Pattison, Pearson, Poe, Robb, Sater, Sheppard, Sherrick, Thompson of Montgomery, Van Meter, Walker, Watson, Weible, White and Speaker—53.

So the motion to recommit was disagreed to.

The question then being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 54, nays 46, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Beach, Bell, Boyce, Brooke, Brunner, Case, Cole, Conklin, Eshelman, Gordon, Green, Haag, Hardy, Hatfield, Heitmann, Hill, Hoagland, Holt, Huston, Inman, Kemp, Lewis, Light, McCloud, McCoy, McKinley, Mesloh, Miller, Moorehead, Murlin, Myers of Ashland, Nelson, Newell, Norton, Pasker, Pattison, Pearson, Poe, Robb, Sater, Sheppard, Sherrick, Thompson of Montgomery, Van Meter, Walker, Watson, Weible, White and Speaker—54.

Those who voted in the negative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Barrett, Bay, Beatty, Blake, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Cooley, Conkright, Duncan, Eidson, Faxon, Ford, Gowey. Grosvenor, Harrison, Haven, Herron, Hodge, Holloway, Howland, Johnson, Loomis, Mack, Mann, Marx, Martin, McLain, Munson, Myers of Fayette, Neff, Newton, Oren, Ramsay, Ray, Richards, Richmond, Scott, Stone, Thompson of Lucas, Tryon, Varley, Vincent and Williams—46.

So the bill passed. The title was agreed to.

On motion of Mr. Beach, S. B. No. 40, to amend section 1 of an act entitled an act to regulate and govern the Ohio Penitentiary, passed April 1, 1867, was read the third time.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 53, nays 46, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Beach, Bell, Boyce, Brooke, Brunner, Case, Cole, Conklin, Eshelman, Gordon, Green, Haag, Hardy, Hatfield. Heitmann, Hill, Hoagland, Huston, Inman, Kemp, Lewis, Light, McCloud, McCoy, McKinley, Mesloh, Miller, Moorehead, Murlin, Myers of Ashland, Nelson, Newell, Norton, Parker, Pattison, Pearson, Poe, Robb, Sater, Sheppard, Sherrick, Thompson of Montgomery, Van Meter, Walker, Watson, Weible, White and Speaker—53.

Those who voted in the negative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Barrett, Bay, Beatty, Blake, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Coler, Cooley, Conkright, Duncan, Eidson, Faxon, Ford, Gowey, Gros-

venor, Harrison, Haven, Herron, Holloway, Holt, Howland, Johnson, Loomis, Mack, Mann, Marx, Martin, McLain, Morris, Munson, Myers of Fayette, Neff, Oren, Ramsay, Ray, Richards, Richmond, Scott, Stone, Thompson of Lucas, Tryon, Varley, Vincent and Williams—46.

So the bill passed. The title was agreed to.

On motion of Mr. Archer, H. B. No. 238, to apportion the State of Ohio into congressional districts, was read the third time.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 53, nays 48, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Beach, Bell, Boyce, Brooke, Brunner, Case, Cole, Conklin, Eshelman, Gordon, Green, Haag, Hardy, Hatfield, Heitmann, Hill, Hoagland, Huston, Inman, Kemp, Lewis, Light, McCloud, McCoy, McKinley, Mesloh, Miller, Moorehead, Murlin, Myers of Ashland, Nelson, Newell, Norton, Parker, Pattison, Pearson, Poe, Robb, Sater, Sheppard, Sherrick, Thompson of Montgomery, Van Meter, Walker, Watson, Weible, White and Speaker—53.

Those who voted in the negative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Barrett, Bay, Beatty, Blake, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Coler, Cooley, Conkright, Duncan, Eidson, Faxon, Ford, Gowey, Grosvenor, Harrison, Haven, Herron, Hodge, Holloway, Holt, Howland, Johnson, Loomis, Mack, Mann, Marx, Martin, McLain, Morris, Munson, Myers of Fayette, Neff, Oren, Ramsay, Ray, Richards, Richmond, Scott, Stone, Thompson of Lucas, Tryon, Varley, Vincent and Williams—48.

So the bill passed.

Mr. Kemp moved to amend the title as follows: Add, "and to repeal a certain act therein named."

Which was agreed to.

The title, as amended, was then agreed to.

On motion of Mr. Case, H. B. No. 249, to authorize boards of education to purchase text-books, was read the third time.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 55, nays 14, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barrett, Beach, Beatty, Bell, Blake, Boyce, Case, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Cole, Coler, Cooley, Conkright, Duncan, Eidson, Gowey, Green, Grosvenor, Harrison, Hatfield, Haven, Heitmann, Herron, Hodge, Holt, Huston, Inman, Johnson, Lewis, Mack, Martin, McCloud, McKinley, McLain, Mesloh, Miller, Moorehead, Munson, Murlin, Myers of Ashland, Nelson, Oren, Parker, Ray, Sherrick, Thompson of Lucas, Van Meter, Varley, Walker and Weible—55.

Those who voted in the negative were—

Messrs. Ford, Gordon, Hoagland, Howland, Loomis, Marx, McCoy, Morris, Myers of Fayette, Neff, Newell, Richmond, Stone and Vincent—14.

So the bill passed. The title was agreed to.

Mr. Lewis moved that H. B. No. 285 be taken from the table and read the third time.

Which was agreed to.

H. B. No. 285: To provide for a more economical management and better regulation of hospitals for the insane, was read the third time.

Mr. Lewis demanded a call of the House. Ninety-seven members answered to their names.

The absentees were Messrs. Barrett, Baskin, Chapmann of Meigs, Gegha , Norton, Ray, Stone and West.

The Sergeant-at-Arms was dispatched for absentees.

Mr. Mann moved that all further proceedings under the call be dispensed with.

On which motion the yeas and nays were demanded, ordered, and resulted—yeas 54, nays 30, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Baker of Coshocton, Baker of Fairfield, Barnett, Beach, Bell, Boyce, Brooke, Case, Carnahan, Cole, Conklin, Eshelman, Ford, Green, Haag, Hardy, Hatfield, Haven, Heitmann, Hill, Hoagland, Hodge, Holt, Huston, Kemp, Lewis, Light, Loomis, Mann, McCloud, McCoy, McKinley, Mesloh, Miller, Moorehead, Murlin, Myers of Ashland, Nelson, Norton, Parker, Pearson, Poe, Robb, Sater, Sheppard, Sherrick, Thompson of Montgomery, Van Meter, Vincent, Walker, Weible, White and Speaker—54.

Those who voted in the negative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Beatty, Blake, Chapman of Cuyahoga, Chapman of Meigs, Cooley, Conkright, Eidson, Gowey, Gordon, Grosvenor, Harrison, Herron, Holloway, Johnson, Marx, Martin, McLain, Morris, Myers of Fayette, Neff, Newton, Oren, Ray, Richmond, Thompson of Lucas, Tryon, Varley and Watson—30.

So the motion was agreed to.

Mr. Grosvenor then moved to recommit the bill under consideration to a select committee of one, with instructions to amend as follows:

At end of section 19 add: "Provided, that until the completion of the Central Ohio Hospital for the Insane, provisional districts as now constituted shall remain."

In lines eight and nine, section 1, strike out "South-eastern Ohio," and insert "Athens."

In line three, section 6, after the word "removed," insert: "but shall not be entitled to be paid for any time prior to his appointment."

In line five, section 4, after the word "qualified," insert: "but shall not be paid for any time not covered by his actual appointment."

At the end of section 12 add: "and may, in conjunction with the superintendent, suspend the steward for incompetency or dishonesty, and report their action to the Governor."

In section 11, at the end, add: "and such trustees may suspend the operation of any contract made by the steward when any contractor shall fail to comply with the same."

Mr. Richards moved to amend the instructions as follows:

Insert in section 11, line two, after the word "hospital," the following: "under the direction of the superintendent, and not otherwise;" also, in line thirteen, insert after the word "steward," "by and with the consent of the superintendent."

Mr. Haag moved that the House take a recess until 10 o'clock A.M. tomorrow.

Mr. Mann moved that the House do now adjourn.

On which motion the yeas and nays were demanded, ordered, and resulted—yeas 44, nays 52, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Barrett, Bay,

Beatty, Blake, Carnahan, Chapman of Cuyahoga, Cooley, Conkright, Duncan, Eidson, Faxon, Ford, Gowey, Grosvenor, Harrison, Haven, Herron, Hodge, Holloway, Howland, Johnson, Mack, Mann, Marx, Martin, McLain, Morris, Munson, Myers of Fayette, Neff, Newton, Oren, Ramsay, Ray, Richards, Richmond, Scott, Thompson of Lucas, Tryon, Varley, Vincent and Williams—44.

Those who voted in the negative were—

Messrs. Archer, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Beach, Bell, Boyce, Brooke, Brunner, Case, Cole, Conklin, Eshelman, Green, Haag, Hardy, Hatfield, Heitmann, Hill, Hoagland, Huston, Inman, Kemp, Lewis, Light, McCloud, McCoy, McKinley, Mesloh, Miller, Moorehead, Murlin, Myers of Ashland, Nelson, Newell, Norton, Parker, Pattison, Pearson, Poe, Robb, Sater, Sheppard, Sherrick, Thompson of Montgomery, Van Meter, Walker, Watson, Weible, White and Speaker—52.

So the House refused to adjourn.

The question then recurring on the motion of Mr. Haag to take a recess, it was agreed to; and the House took a recess until 10 o'clock A.M. to-morrow.

WEDNESDAY, MARCH 25, 1874—10 o'clock A.M.

The House met pursuant to recess.

Prayer by Rev. Richard Ramsay.

The Speaker laid before the House a petition from citizens of Tuscarawas county, against any modification of the liquor law.

Which, on motion of Mr. Thompson of Lucas, was referred to the committee on Temperance.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has concurred in the passage of H. B. No. 154, to repeal a certain act therein named.

Attest: S. K. DONAVIN, *Clerk.*

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has concurred in the passage of H. B. No. 63, to amend section 3 of an act entitled an act to prevent collisions on railroads within the State of Ohio, passed March 24, 1860, with the following amendments, in which the concurrence of the House of Representatives is requested:

Section 1, line 5, after the word "shall," insert the word "willfully." In line 6 strike out the word "and," and insert the word "or."

Attest: S. K. DONAVIN, *Clerk.*

The question being on agreeing to the Senate amendments to said bill, the yeas and nays were ordered, and resulted—yeas 68, nays 2, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Armstrong of Guernsey, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Beach, Blake, Brooke, Case, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Cole, Cooley, Conklin, Conkright, Duncan, Eidson, Eshelman, Faxon, Green, Haag, Hardy, Harrison, Hatfield, Haven, Heitmann, Herron, Hill, Hoagland, Holloway, Howland, Huston, Inman, Johnson, Kemp, Loomis, Mack,

Marx, McCloud, McCoy, McKinley, McLain, Mesloh, Moorehead, Munson, Murlin, Myers of Ashland, Myers of Fayette, Oren, Pattison, Poe, Ramsay, Robb, Sater, Sherrick, Thompson of Lucas, Thompson of Montgomery, Tryon, Varley, Vincent, Walker, Watson, White and Williams—68.

Messrs. Holt and Neff voted in the negative.

So the amendments were concurred in.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has adopted the following joint resolution, in which the concurrence of the House of Representatives is requested:

S. J. R. No. 37—By Mr. Corwin: Appropriating money to Mary and Ellen Waters.

Attest: S. K. DONAVIN, *Clerk.*

On motion of Mr. Scott, said resolution was referred to the committee on Insane Asylums.

Mr. Sherrick submitted the following report:

The committee on Revision have examined, and found correctly engrossed, House Bills Nos. 215, 242, 264, 263, 111, and amendment to S B. No. 108.

JOHNSON SHERRICK, JON. MORRIS,
WM. M. MCKINLEY, ORVIL BLAKE.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has passed the following bills, in which the concurrence of the House of Representatives is requested:

S. B. No. 72—By Mr. Jones: To provide for the disposition of unclaimed freights and express packages, and to amend an act entitled an act providing for the disposition of unclaimed freight and express packages, passed April 16, 1867. (S. & S., p. 93.)

S. B. No. 130—By Mr. Fisher: Supplementary to an act passed April 30, 1869 (O. L., Vol. 66, p. 68), entitled an act to amend section 4 of an act entitled an act for opening and regulating roads and highways, passed January 27, 1853. (S. & C., p. 1290.)

S. B. No. 125—By Mr. Buell: To authorize the commissioners of Washington county to levy a tax for constructing a road.

S. B. No. 57—By Mr. Butterworth: To amend section one of an act entitled an act to enable associations of persons for building hotels, and for other purposes, to become bodies corporate, passed April 5, 1866, as amended by an act passed April 25, 1868. (65 Vol. O. L., 108; S. & S., 198.)

Attest: S. K. DONAVIN, *Clerk.*

Said bills were read the first time.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has acceded to the request of the House of Representatives for a committee of conference on House amendments to S. B. No. 4, to amend section 13 of an act of May 1, 1852, entitled an act to provide for the creation and regulation of incorporated companies in the State of Ohio, as amended April 25, 1873.

The President has appointed Messrs. Jones, Reid and Thompson such committee on part of the Senate.

Attest: S. K. DONAVIN, *Clerk.*

The Speaker appointed as said committee on the part of the House Messrs. McCoy, Williams and Beach.

Mr. Scott presented the memorial of Matilda Fletcher and citizens of Iowa.

Which was read and ordered printed.

Mr. Gowey moved a reconsideration of the vote whereby S. B. No. 105 was lost.

Which was agreed to.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 29, nays 46, as follows:

Those who voted in the affirmative were—

Messrs. Baker of Fairfield, Baker of Perry, Blake, Brooke, Brunner, Chapman of Cuyahoga, Chapman of Meigs, Coler, Duncan, Eshelman, Gowey, Haven, Heitmann, Herron, Hodge, Holloway, Martin, McCoy, McKinley, Miller, Newton, Oren, Pattison, Ray, Richards, Richmond, Thompson of Lucas, Thompson of Montgomery, and Williams—29.

Those who voted in the negative were—

Messrs. Archer, Armstrong of Belmont, Armstrong of Guernsey, Baker of Coshocton, Bay, Beach, Carnahan, Cole, Conklin, Conkright, Eidson, Faxon, Green, Grosvenor, Hardy, Harrison, Hill, Hoagland, Howland, Huston, Inman, Johnson, Mann, Marx, McCloud, McLain, Mesloh, Moorehead, Morris, Munson, Murlin, Myers of Ashland, Myers of Fayette, Nelson, Newell, Pearson, Poe, Ramsay, Robb, Sater, Scott, Sheppard, Vincent, Walker, Watson, Weible and White—46.

So the bill failed to pass.

When the House took a recess yesterday it had under consideration H. B. No. 285, which was resumed.

The amendment to the instructions, as offered by Mr. Richards, were disagreed to.

Mr. Morris then moved to amend the instructions as follows: Strike out all of section 3.

Said amendment, on leave, was withdrawn.

Mr. Morris then moved to amend the instructions as follows:

Strike out the word "likewise," in section 5, line 1.

Also, in line 3, strike out all between the words "by" and "in," and insert "a probate judge."

Which were disagreed to.

The question then being on the motion of Mr. Grosvenor to commit to a select committee of one, with instructions, it was disagreed to.

Pending further consideration of the bill, on motion of Mr. Eshelman, the House took a recess.

HALF-PAST TWO O'CLOCK P.M.

Mr. McLain demanded a call of the House, and seventy-seven members answered to their names.

The Sergeant-at Arms was dispatched for absentees.

Mr. Hodge moved that all further proceedings under the call be dispensed with.

On which motion the yeas and nays were demanded, ordered, and resulted—yeas 38, nays 46, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Barrett, Bay, Beatty, Blake, Boyce, Carnahan, Chapman of Cuyahoga, Coler, Cooley, Conkright, Faxon, Gowey, Gordon, Harrison, Herron, Hodge, Holloway,

Johnson, Loomis, Mann, Marx, Martin, McLain, Miller, Morris, Munson, Myers of Fayette, Neff, Oren, Ramsay, Richards, Richmond, Scott, Thompson of Lucas, Vincent and Williams—38.

Those who voted in the negative were—

Messrs. Archer, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Baskin, Beach, Bell, Brunner, Case, Cole, Conklin, Grosvenor, Haag, Hardy, Hatfield, Heitmann, Hoagland, Holt, Huston, Inman, Kemp, Light, McCloud, McCoy, McKinley, Mesloh, Moorehead, Murlin, Myers of Ashland, Nelson, Newell, Norton, Parker, Pattison, Pearson, Robb, Sater, Sheppard, Sherrick, Thompson of Montgomery, Van Meter, Walker, Watson, Weible and White—46.

So the House refused to dispense with further proceedings under the call.

Messrs. Eshelman, Bell, Faxon, Gowey and Walker appeared within the bar, and answered to the call.

Mr. Mann moved that further proceedings under the call be dispensed with.

On which motion the yeas and nays were demanded, ordered, and resulted—yeas 61, nays 14, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Guernsey, Baker of Coshocton, Baker of Fairfield, Barnett, Bay, Bell, Brooke, Brunner, Case, Carnahan, Chapman of Cuyahoga, Cole, Coler, Cooley, Conklin, Conkright, Duncan, Gordon, Green, Hatfield, Haven, Heitmann, Hill, Hoagland, Huston, Inman, Johnson, Kemp, Lewis, Light, Mann, McCloud, McCoy, McKinley, Mesloh, Miller, Moorehead, Murlin, Myers of Ashland, Nelson, Oren, Parker, Pattison, Pearson, Poe, Ramsay, Ray, Robb, Sater, Sheppard, Sherrick, Thompson of Lucas, Thompson of Montgomery, Van Meter, Vincent, Walker, Watson, Weible, White and Williams—61.

Those who voted in the negative were—

Messrs. Baskin, Beatty, Blake, Haag, Hodge, Loomis, Marx, Martin, McLain, Morris, Munson, Myers of Fayette, Richards and Richmond—14.

So the motion was agreed to.

The House then resumed the consideration of H. B. No. 285.

Mr. McCoy moved to recommit said bill to a select committee of one, with instructions to amend as follows:

In section 3, line 2, strike out the word "two," and insert "one;" and in line 3, before the word "third," insert the words "second and."

In section 16, line 3, strike out "$2,000," and insert "$1,200;" and in line 4 strike out "$1,500," and insert "$800."

Mr. Sheppard moved to amend the instructions as follows:

In section 16, line 2, strike out "eight," and insert "seven."

Which was agreed to.

Mr. Watson then moved to amend the instructions as follows:

After the word "bidder," in line 17, section 11, insert "or they may reject all bids, and re-advertise for bids."

Which was agreed to.

The motion of Mr. McCoy to recommit said bill, with instructions, as amended by the House, was then agreed to, and Mr. McCoy appointed said committee, who asked leave to report the bill back, amended as instructed.

On which the yeas and nays were demanded, ordered, and resulted—yeas 53, nays 38, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Baker of Coshocton, Baker of Fairfield, Baker of Perry,

Barnett, Baskin, Beach, Bell, Boyce, Brooke, Brunner, Case, Cole, Conklin, Eshelman, Gordon, Green, Haag, Hardy, Hatfield, Heitmann, Hill, Hoagland, Huston, Inman, Kemp, Lewis, Light, McCloud, McCoy, McKinley, Mesloh, Miller, Moorehead, Murlin, Myers of Ashland, Nelson, Newell, Norton, Parker, Pearson, Poe, Robb, Sater, Sheppard, Sherrick, Thompson of Montgomery, Van Meter, Walker, Watson, Weible, White and Speaker—53.

Those who voted in the negative were—

Messrs. Armstrong of Belmont, Barrett, Bay, Blake, Chapman of Cuyahoga, Chapman of Meigs, Cooley, Conkright, Duncan, Faxon, Ford, Gowey, Harrison, Haven, Herron, Holloway, Howland, Johnson, Loomis, Mack, Mann, Marx, Martin, McLain, Morris, Myers of Fayette, Neff, Newton, Oren, Ramsay, Ray, Richards, Richmond, Scott, Thompson of Lucas, Tryon, Varley and Vincent—38.

So leave was granted, and Mr. McCoy reported the bill back, amended as instructed.

Said bill was then ordered to be engrossed.

Mr. Eshelman submitted the following report:

The committee on Finance, to whom was referred S. B. No. 70, prescribing the rate of taxation for county, bridge, road and township purposes, and to repeal certain acts therein named, having had the same under consideration, report it back, and recommend its passage.

E. B. Eshelman, T. E. Duncan,
Geo. W. Boyce, J. M. Poe,
R. Hill, Geo. H Ford.

Mr. Scott moved to amend the bill as follows:

Strike out the word "six," in line 24, section 1, and insert the word "five."

On which motion the yeas and nays were demanded, ordered, and resulted—yeas 37, nays 35, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Barrett, Beatty, Brunner, Carnahan, Chapman of Cuyahoga, Coler, Cooley, Conklin, Conkright, Duncan, Eidson, Faxon, Gowey, Green, Harrison, Herron, Howland, Johnson, Loomis, Mack, Mann, Marx, Martin, McLain, Murlin, Myers of Fayette, Neff, Oren, Poe, Ramsay, Richards, Richmond, Scott, Varley and Vincent—37.

Those who voted in the negative were—

Messrs. Archer, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Baskin, Beach, Bell, Blake, Boyce, Brooke, Case, Cole, Eshelman, Gordon, Haven, Heitmann, Hill, Hoagland, Holt, Huston, Inman, Kemp, McKinley, Mesloh, Moorehead, Norton, Parker, Pearson, Robb, Sater, Van Meter, Walker, Watson and Weible—35.

So the amendment was agreed to.

Mr. Scott moved to amend the bill as follows:

In section 1, line 22, strike out "seven-tenths," and insert "six-tenths."

On which motion the yeas and nays were demanded, ordered, and resulted—yeas 73, nays 8, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Armstrong of Guernsey, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Barrett, Baskin, Bay, Beach, Beatty, Bell, Blake, Brooke, Brunner, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Cole, Coler, Cooley, Conklin, Conkright, Eidson, Faxon, Gowey, Haag, Hardy, Harrison, Hatfield,

Haven, Herron, Hill, Hoagland, Hodge, Holloway, Howland, Huston, Johnson, Kemp, Loomis, Mack, Marx, Martin, McLain, Morris, Murlin, Myers of Fayette, Neff, Newell, Norton, Oren, Parker, Pattison, Pearson, Poe, Ramsay, Richmond, Robb, Sater, Scott, Sheppard, Sherrick, Thompson of Lucas, Thompson of Montgomery, Tryon, Van Meter, Varley, Vincent, Walker, Weible and Williams—73.

Those who voted in the negative were—

Messrs. Eshelman, Gordon, Heitmann, Holt, McKinley, Miller, Moorehead and Nelson—8.

So the amendment was agreed to.

Mr. Scott then moved to amend said bill as follows:

In section 1 strike out all between lines "25" and "36."

On which motion the yeas and nays were demanded, ordered, and resulted—yeas 44, nays 36, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Baker of Coshocton, Barrett, Bay, Beatty, Blake, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Coler, Conkright, Eidson, Faxon, Ford, Gowey, Harrison, Herron, Holt, Johnson, Loomis Mack, Mann, Marx, Martin, McLain, Miller, Morris, Myers of Fayette, Neff, Newton, Oren, Ramsay, Ray, Richards, Richmond, Scott, Thompson of Lucas, Tryon, Varley, Vincent, Walker and Williams—44.

Those who voted in the negative were—

Messrs. Archer, Baker of Fairfield, Baker of Perry, Barnett, Baskin, Beach, Bell, Boyce, Brooke, Case, Cole, Conklin, Eshelman, Green, Hatfield, Haven, Heitmann, Hill, Hoagland Hodge, Inman, Kemp, McKinley, Moorehead, Murlin, Nelson, Pattison, Pearson, Poe, Robb, Sater, Sherrick, Thompson of Montgomery, Van Meter, Watson and Weible—36.

So the amendment was agreed to.

Mr. Sater offered the following amendments, which were agreed to:

In section 7, line 3, after the word "exceeding," strike out the words "six-tenths of one mill," and insert the words "two mills."

In section 7, line 6, after the word "exceed," strike out the words "one mill," and insert the words "five mills."

Mr. Hardy offered the following amendments, which were agreed to:

In section 2, line 14, strike out the word "one," and insert the word "two."

In line 15, same section, strike out the words "and five-tenths," and insert the word "two."

Mr. Huston offered the following amendment, which was agreed to:

In section 2, line 30, after the word "proper," insert "not exceeding three-fifths thereof."

On motion of Mr. Hodge, said bill was laid on the table.

The Speaker announced that H. B. No. 285 had been engrossed.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 51, nays 45, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Baskin, Beach, Bell, Boyce, Brooke, Brunner, Case, Cole, Conklin, Eshelman, Gordon, Green, Hardy, Hatfield, Heitmann, Hill, Hoagland, Huston, Inman, Kemp, Lewis, Light, McCloud, McCoy, McKinley, Mesloh, Miller, Moorehead, Murlin, Myers of Ashland, Nelson, Newell, Parker, Pattison, Pearson, Poe, Robb, Sater, Sheppard, Sherrick, Thompson of Montgomery, Van Meter, Watson, Weible, White and Speaker—51.

Those who voted in the negative were—

Messrs. Armstrong of Guernsey, Barrett, Bay, Beatty, Blake, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Coler, Cooley, Conkright, Duncan, Eidson, Faxon, Ford, Gowey, Harrison, Haven, Herron, Hodge, Holloway. Holt, Howland, Johnson, Loomis, Mack, Mann, Marx, Martin, McLain, Morris, Myers of Fayette, Neff, Newton, Norton, Ramsay, Ray, Richards, Richmond, Scott, Thompson of Lucas, Tryon, Varley, Vincent and Williams—45.

So the bill, having failed to receive a constitutional majority, was lost.

On motion of Mr. Pattison, H. B. No. 314, to amend section 5 of an act entitled an act regulating the Commercial Hospital of Cincinnati, passed March 11, 1861, as amended by an act passed March 1, 1870, was read the second time, and referred to the committee on Medical Colleges and Societies.

Mr. Pattison submitted the following report:

The joint committee on Enrollment have examined, and found correctly enrolled, the following bill:

H. B. No. 85: To amend section 6 of the act entitled an act relating to the organization of courts of justice and their powers and duties, passed February 19, 1852, and amended May 16, 1868.

J. M. PATTISON, B. NEFF,
HENRY HARDY, A. M. BURNS,
L. A. BRUNNER, S. KNOX,
E. B. PARKER, M. C. LAWRENCE,
O. B. CHAPMAN, J. C. FISHER.
H. M. CHAPMAN,

The Speaker, in presence of the House, signed said bill.

Mr. Pattison submitted the following report:

The joint committee on Enrollment have examined, and found correctly enrolled, the following bills and joint resolution:

H. B. No. 80: To amend section 27 of an act relating to roads and highways, as amended by the act passed January 6, 1873.

H. B. No. 66: To authorize the board of education of Huntington township, Brown county, to levy a special tax to pay an existing indebtedness of school building fund.

H. B. No. 166: Authorizing the creation of an additional sub school district in Madison township, Columbiana county.

H. B. No. 32: To authorize the trustees of Seneca township, Monroe county, Ohio, to levy a tax to pay bounties to certain volunteers.

H. B. No. 154: To repeal a certain act therein named.

H. J. R. No. 34: For the purpose of boxing and sending to the address of the members of the General Assembly the number of Geological reports they are entitled to.

J. M. PATTISON, H. M. CHAPMAN.
O. B. CHAPMAN, S. KNOX,
L. A. BRUNNER, M. C. LAWRENCE,
HENRY HARDY, J. C. FISHER.

The Speaker, in the presence of the House, signed said bills and joint resolution.

Mr. Norton demanded a call of the House, and 99 members answered to their nomes.

The absentees were Messrs. Geghan, Grosvenor, Morris, Munson, Stone and West.

The Sergeant-at-Arms was dispatched for absentees.

Mr. Norton moved that further proceedings under the call be dispensed with.

On which motion the yeas and nays were demanded, ordered, and resulted—yeas 52, nays 27, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Baskin, Beach, Bell, Boyce, Brooke, Brunner, Case, Cole, Coler, Conklin, Gordon, Green, Hardy, Heitmann, Hill, Hoagland, Kemp, Lewis, Light, Mann, McCloud, McCoy, McKinley, Mesloh, Miller, Moorehead, Murlin, Myers of Ashland, Nelson, Newell, Newton, Norton, Parker, Pattison, Pearson, Robb, Sater, Sheppard, Sherrick, Thompson of Montgomery, Van Meter, Vincent, Walker, Watson, Weible, White and Speaker —52.

Those who voted in the negative were—

Messrs. Armstrong of Guernsey, Barrett, Bay, Beatty, Blake, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Cooley, Conkright, Faxon, Ford, Gowey, Haag, Hatfield, Johnson, Loomis, Marx, Martin, McLain, Myers of Fayette, Oren, Ramsay, Ray, Richards, Richmond and Varley —27.

So the motion was agreed to.

Mr. Norton moved to reconsider the vote whereby H. B. No. 285 was lost.

On which motion the yeas and nays were demanded, ordered, and resulted—yeas 51, nays 42, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Baskin, Beach, Bell, Boyce, Brooke, Brunner, Case, Cole, Conklin, Eshelman, Gordon, Green, Hardy, Hatfield, Heitmann, Hill, Hoagland, Huston, Inman, Kemp, Lewis, McCloud, McCoy, McKinley, Mesloh, Miller, Moorehead, Murlin, Myers of Ashland, Nelson, Newell, Norton, Parker, Pattison, Pearson, Robb, Sater, Sheppard, Sherrick, Thompson of Montgomery, Van Meter, Walker, Watson, Weible, White and Speaker —51.

Those who voted in the negative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Barrett, Bay, Beatty, Blake, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Coler, Cooley, Conkright, Duncan, Eidson, Faxon, Ford, Gowey, Harrison, Haven, Herron, Holloway, Holt, Howland, Johnson, Loomis, Mack, Mann, Marx, Martin, McLain, Morris, Myers of Fayette, Neff, Oren, Ramsay, Ray, Richmond, Scott, Thompson of Lucas, Tryon, Varley and Williams—42.

So the motion was agreed to.

Mr. Harrison moved that the House take a recess until 10 o'clock A.M. to-morrow.

Mr. Scott moved that the House do now adjourn.

On which motion the yeas and nays were demanded, ordered, and resulted—yeas 37, nays 52, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Guernsey, Barrett, Bay, Blake, Carnahan, Chapman of Cuyahoga, Coler, Cooley, Conkright, Eidson, Faxon, Ford, Gowey, Harrison, Haven, Herron, Holloway, Howland, Johnson, Loomis, Mack, Mann, Marx, Martin, McLain, Morris, Myers of Fayette, Neff, Oren, Ramsay, Ray, Richards, Richmond, Scott, Tryon, Varley and Williams—37.

Those who voted in the negative were—

Messrs. Archer, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Baskin, Beach, Bell, Boyce, Brooke, Brunner, Case, Cole, Eshelman, Green, Haag, Hardy, Hatfield, Heitmann, Hill, Hoagland, Hodge, Huston, Inman, Kemp, Lewis, Light, McCloud, McCoy, McKinley, Mesloh, Miller, Moorehead, Murlin, Myers of Ashland, Nelson, Newell, Parker, Pattison, Pearson, Poe, Robb, Sater, Sheppard, Sherrick, Thompson of Montgomery, Van Meter, Walker, Watson, Weible, White and Speaker —52.

So the House refused to adjourn.

The question then recurred on the motion to take a recess.

On which motion the yeas and nays were demanded, ordered, and resulted—yeas 39, nays 47, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Belmont, Bay, Blake, Carnahan, Chapman of Cuyahoga, Coler, Cooley, Duncan, Eidson, Faxon, Gowey, Harrison, Haven, Herron, Hodge, Holloway, Holt, Howland, Johnson, Loomis, Mack, Mann, Marx, Martin, McLain, Morris, Myers of Fayette, Neff, Oren, Ramsay, Richards, Richmond, Scott, Thompson of Lucas, Tryon, Varley and Williams—39.

Those who voted in the negative were—

Messrs. Archer, Baker of Fairfield, Barnett, Baskin, Beach, Bell, Boyce, Brooke, Brunner, Case, Cole, Conklin, Eshelman, Gordon, Green, Hardy, Hatfield, Heitmann, Hill, Hoagland, Huston, Inman, Kemp, Lewis, Light, McCloud, McCoy, McKinley, Mesloh, Miller, Moorehead, Murlin, Nelson, Newell, Norton, Parker, Pattison, Pearson, Poe, Robb, Sater, Sheppard, Sherrick, Thompson of Montgomery, Van Meter, Weible, White and Speaker—47.

So the House refused to take recess.

Mr. Light demanded the previous queston, which was sustained.

Mr. Scott moved that H. B. No. 285 be laid on the table.

On which motion the yeas and nays were demanded, ordered, and resulted—yeas 40, nays 51, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Barrett Beatty, Blake, Carnahan, Coler, Cooley, Conkright, Duncan, Eidson, Faxon, Ford, Gowey, Harrison, Haven, Herron, Hodge, Holloway, Holt, Johnson, Mack, Mann, Marx, Martin, McLain, Morris, Myers of Fayette, Neff, Oren, Ramsay, Ray, Richards, Richmond, Scott, Thompson of Lucas, Tryon, Varley, Vincent and Williams—40.

Those who voted in the negative were—

Messrs. Archer, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Baskin, Beach, Bell, Boyce, Brooke, Brunner, Case, Cole, Conklin, Eshelman, Gordon, Green, Haag, Hardy, Hatfield, Hill, Hoagland, Huston, Inman, Lewis, Light, McCloud, McCoy, McKinley, Mesloh, Miller, Moorehead, Murlin, Myers of Ashland, Nelson, Newell, Norton, Pattison, Pearson, Poe, Robb, Sater, Sheppard, Sherrick, Thompson of Montgomery, Van Meter, Walker, Watson, Weible, White and Speaker—51.

So the motion was not agreed to.

Mr. Oren moved that the House do now adjourn.

On which motion the yeas and nays were demanded, ordered, and resulted—yeas 36, nays 53, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Bay, Blake,

Brunner, Chapman of Cuyahoga, Coler, Conkright, Eidson, Faxon, Ford, Gowey, Harrison, Haven, Johnson, Loomis, Mack, Mann, Marx, Martin, McLain, Miller, Morris, Munson, Myers of Fayette, Oren, Ramsay, Ray, Richards, Richmond, Scott, Thompson of Lucas, Tryon, Varley, Vincent and Williams—36.

Those who voted in the negative were—

Messrs. Archer, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Baskin, Beach, Beatty, Bell, Boyce, Case, Carnahan, Cole, Cooley, Conklin, Duncan, Eshelman, Gordon, Green, Haag, Hardy, Hatfield, Heitmann, Hill, Hoagland, Huston, Kemp, Lewis, Light, McCloud, McCoy, McKinley, Mesloh, Moorehead, Murlin, Myers of Ashland, Nelson, Newell, Parker, Pearson, Poe, Robb, Sater, Sheppard, Sherrick, Thompson of Montgomery, Van Meter, Walker, Watson, Weible, White and Speaker—53.

So the House refused to adjourn.

The question then being "Shall the main question be now put?" it was agreed to.

The question being "Shall the bill (H. B. No. 285) pass?" the yeas and nays were ordered, and resulted—yeas 54, nays 44, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Baskin, Beach, Bell, Boyce, Brooke, Brunner, Case, Cole, Conklin, Eshelman, Gordon, Green, Haag, Hardy, Hatfield, Heitmann, Hill, Hoagland Huston, Inman, Kemp, Lewis, Light, McCloud, McCoy, McKinley, Mesloh, Miller, Moorehead, Murlin, Myers of Ashland, Nelson, Newell, Norton, Parker, Pattison, Pearson, Poe, Robb, Sater, Sheppard, Sherrick, Thompson of Montgomery, Van Meter, Walker, Watson, Weible, White and Speaker—54.

Those who voted in the negative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Barrett, Bay, Beatty, Blake, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Coler, Cooley, Conkright, Duncan, Eidson, Faxon, Ford, Gowey, Harrison, Haven, Hodge, Holloway, Howland, Johnson, Loomis, Mack, Mann, Marx, Martin, McLain, Morris, Munson, Myers of Fayette, Neff, Oren, Ramsay, Ray, Richards, Richmond, Scott, Thompson of Lucas, Tryon, Varley, Vincent and Williams—44.

So the bill passed.

Mr. Lewis moved to amend the title as follows: Strike out the preamble. Amend the title so as to read: "To provide for the management and better regulation of hospitals for the insane."

Which was agreed to.

The title, as amended, was agreed to.

Mr. Holloway moved that the House do now adjourn.

Which was disagreed to.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has adopted the following joint resolution, in which the concurrence of the House of Representatives is requested:

S. J. R. No. 36—By Mr. Thompson: Rescinding S. J. R. No. 31.

Attest: S. K. DONAVIN, *Clerk.*

The question being on the adoption of the resolution, the yeas and nays were ordered, and resulted—yeas 55, nays 44, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Baskin, Beach, Bell, Boyce, Brooke, Brunner, Case, Cole, Conklin, Eshelman, Gordon, Green, Haag, Hardy, Hatfield, Heitmann, Hill, Hoagland, Huston, Inman, Kemp, Lewis, Light, McCloud, McCoy, McKinley, Mesloh, Miller, Moorehead, Murlin, Myers of Ashland, Nelson, Newell, Newton, Norton, Parker, Pattison, Pearson, Poe, Robb, Sater, Sheppard, Sherrick, Thompson of Montgomery, Van Meter, Walker, Watson, Weible, White and Speaker—55.

Those who voted in the negative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Barrett, Bay, Beatty, Blake, Carnahan, Chapman of Meigs, Coler, Cooley, Conkright, Duncan, Eidson, Faxon, Ford, Gowey, Harrison, Haven, Hodge, Holloway, Holt, Howland, Johnson, Loomis, Mack, Mann, Marx, Martin, McLain, Morris, Munson, Myers of Fayette, Neff, Oren Ramsay, Ray, Richards, Richmond, Scott, Thompson of Lucas, Tryon, Varley and Williams —44.

So the resolution was adopted.

Mr. Brunner moved that the House do now adjourn.

Which was disagreed to.

Mr. Beach moved that the House take a recess until ten o'clock to-morrow.

On which motion the yeas and nays were demanded, ordered, and resulted—yeas 54, nays 40, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Baskin, Beach, Bell, Boyce, Brooke, Brunner, Carnahan, Cole, Conklin, Eshelman, Gordon, Green, Hardy, Hatfield, Heitmann, Hill, Hoagland, Howland, Huston, Inman, Kemp, Light, McKinley, Mesloh, Miller, Murlin, Myers of Ashland, Nelson, Newell, Newton, Norton, Oren, Parker, Pattison, Pearson, Poe, Ramsay, Robb, Sater, Sheppard, Sherrick, Thompson of Montgomery, Van Meter, Walker, Watson, Weible, White and Speaker—54.

Those who voted in the negative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Barrett, Bay, Beatty, Blake, Chapman of Cuyahoga, Chapman of Meigs, Coler, Cooley, Conkright, Duncan, Eidson, Faxon, Ford, Gowey, Harrison, Haven, Hodge, Holloway, Holt, Johnson, Loomis, Mack, Mann, Marx, Martin, McLain, Morris, Munson, Myers of Fayette, Neff, Ray, Richards, Richmond, Scott, Thompson of Lucas, Tryon, Varley and Vincent—40.

So the motion was agreed to, and the House took a recess.

THURSDAY, MARCH 26, 1874—10 o'clock A.M.

The House met pursuant to recess.

Prayer by Rev. Mr. Blake.

Mr. Mesloh submitted the following report:

The committee on Temperance, to whom was referred H. B. No. 4, to amend an amendment of sections 7 and 10 of an act to provide against the evils resulting from the sale of intoxicating liquors in the State of Ohio, passed May 1, 1854, and amended April 18, 1870, having had the

same under consideration, report it back, with the following amendments, and recommend its passage: Strike out in line 28, section 7, the words "no less than two notices," "either" and the word "or" after the words "in writing," and insert "delivered," so as to read as follows: "shall give at least one notice in writing, delivered before a witness or witnesses."

J. J. GEGHAN, J. M. COOLEY,
J. H. MESLOH, E. M. WALKER.
GUIDO MARX,

We most respectfully decline to concur in the above recommendation.

JNO. BAKER,
T. J. HARRISON.

Mr. White moved that the bill and amendments be laid on the table and printed.

On which motion the yeas and nays were demanded, ordered, and resulted—yeas 38, nays 30, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Baker of Coshocton, Baker of Fairfield, Barrett, Baskin, Bay, Beach, Beatty, Blake, Boyce, Brooke, Brunner, Case, Carnahan, Chapman of Cuyahoga, Conklin, Conkright, Duncan, Eshelman, Herron, Kemp, Mack, Mann, Martin, McCoy, McKinley, McLain, Moorehead, Myers of Ashland, Myers of Fayette, Pattison, Richmond, Robb, Scott, Sheppard, Thompson of Montgomery, Varley, Vincent, White and Williams—38.

Those who voted in the negative were—

Messrs. Cole, Cooley, Faxon, Geghan, Green, Haag, Hardy, Harrison, Haven, Heitmann, Hoagland, Hodge, Holloway, Holt, Howland, Huston, Inman, Johnson, Light, Mesloh, Munson, Nelson, Norton, Oren, Pearson, Poe, Ramsay, Tryon, Van Meter and Weible—30.

So the motion was agreed to.

Mr. Scott rose to a question of privilege, and offered the following protest against the passage of H. B. No. 285, and asked that it be placed on the Journal:

HOUSE OF REPRESENTATIVES, *March* 26, 1874.

The undersigned members of the House of Representatives solemnly protest against the passage of H. B. No. 285, reorganizing the State lunatic asylums, for the following reasons, to wit:

1st. Because the evident purpose of this reorganization is to drag the management of the asylums into the political arena, and to make them the spoils of the partisan victors. Should every party coming into power, for which this action will be a precedent, reorganize the penal and charitable institutions of the State, to the end that such party may control and use them for party purposes, the institutions must necessarily lose their usefulness to a marked extent, and become more expensive to the taxpayers. The experience of all the States where the public institutions have been made the subject of political sale and barter, or have been used for political patronage, has been sad in the extreme.

2d. Because this bill, should it become a law by its passage in the other house, will remove all the experienced officers from the asylums, who have been receiving education in the intricacies of this specialty for years, and replace them with inexperienced men; which change must, from necessity, greatly retard and render less efficient the benevolent enterprise of taking care of and curing the insane.

3d. Because our present organization of the grand and benevolent system of taking care of and curing the insane has no superior, and has been honestly and economically managed. Fifty per cent. of all the insane committed to our asylums have been cured, as large, if not a larger percentage than in any other State or country.

We have heard no whisper of dishonesty, from any well-informed source, in their management. Last winter there was a committee of five appointed by this House, of which Gen. W. H. Ball, a leading Democrat of the State, was chairman, to inquire whether any moneys had been drawn from the treasury contrary to law; and if any frauds existed in public contracts and expenditures, construction of public buildings, and conduct of public institutions. This committee unanimously summed up their report to the House as follows:

"The examination has taken a wide range. One hundred and nine witnesses, residing in various parts of the State, have been subpœnaed and examined touching public contracts and expenditures, construction of public buildings, conduct of public institutions, etc. All matters, without reference to the date of their occurrence, coming to the knowledge of the committee, that seemed to promise any probability of throwing any light upon the subjects of inquiry, or any of them, have been diligently inquired into. Your committee take pleasure in reporting that so far as elective officers and their subordinates are concerned, very commendable honesty and fidelity have been observed; and that in the official conduct of no public officer, whether elective or appointive, has corruption been disclosed."

Reasonable economy, with due reference to the cure and comfort of the insane in our asylums, has, we believe, been observed. The current expenses *per capita* in the Southern Lunatic Asylum at Dayton, for the year ending February 15, 1874, was $152.63, or $2.94 per week. The current expenses *per capita* at the Northern Lunatic Asylum was more than that sum; but as the main part of the asylum was burned just before the beginning of the year, and two hundred and thirty-four patients were crowded into the two wings saved from the fire, their expenditures would necessarily be increased. The Athens Lunatic Asylum is just completed, and is now receiving its patients, and we have every reason to believe that under its present management its *per capita* expenditures will not exceed those of the Dayton Asylum.

We are more forcibly struck with the economy observed in our insane asylums when we compare their expenditures with those of similar institutions in other States. The annual *per capita* expense for the care and cure of the insane in the State of New York exceeds the expense in Ohio by $136.27, or is nearly double the cost in Ohio; in Pennsylvania, the *per capita* expense exceeds that in Ohio by $45.94 annually; in Michigan, it exceeds it by $65.54; in Indiana, by $77.00; in Illinois, by $99.16. All the foregoing sums are the amounts which these great surrounding States pay *per capita* in excess of Ohio for the support of the insane in their asylums.

4th. Because it cannot be claimed that it is necessary to reorganize these institutions that the Democratic party may have a representation on the boards of trustees; for the Democrats now compose one-half of the board of trustees of the Northern Asylum; have two of the six trustees at the Southern Asylum; one on the board of the Central Asylum; and the appointment, under the laws now existing, of two Democrats at the Central and two at the Athens Asylum this spring. Nothing short

of absolute political control of these institutions appears to satisfy the majority in this House.

J. Scott,	George Johnson,
Guido Marx,	T. B. Williams,
Thos. J. McLain, Jr,	H. M. Chapman,
O J. Hodge,	E. Martin,
James Carnahan,	J. H. Faxon,
Orvil Blake,	H. G. Tryon,
T. H. Armstrong,	B Neff,
D. C. Richmond,	John Varley,
C. A. Coler,	T. M. Bay,
Geo. H. Eidson,	E. S. Holloway,
A. Armstrong,	R. G. Richards,
R. C. Thompson,	Jon. Morris,
O. B. Chapman,	Ezra Mann,
T. J. Harrison,	John L. Myers,
J. N. Oren,	W. H. Conkright,
Wm. W. Beatty,	W. P. Holland,
F. R. Loomis,	James L Haven,
H. H. Mack,	C. H. Grosvenor,
A. W. Munson,	I. M. Barrett,
Geo. H Ford,	Samuel Herron,
J. F. Gowey,	Thos. E. Duncan,
J. M. Cooley,	J. C. Vincent,
J. B. Ray,	R. Ramsay.

The following bill was introduced on leave, and read the first time:

H. B. No. 330—By Mr. Pearson: To amend section 199 of an act entitled an act to provide for the organization and government of municipal corporations, passed May 7, 1869, as amended April 18, 1870.

On motion of Mr. Richmond, S. B. No. 87, to amend sections 9 and 10 of an act entitled an act for the organization and government of municipal corporations, passed May 7, 1869, was read the third time.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 76, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Armstrong of Guernsey, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Barrett, Baskin, Bay, Beach, Bell, Blake, Boyce, Case, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Cole, Cooley, Conklin, Conkright, Duncan, Eshelman, Geghan, Gowey, Green, Grosvenor, Haag, Hardy, Hatfield, Haven, Heitmann, Herron, Hill, Hodge, Holt, Howland, Huston, Inman, Kemp, Light, Mack, Mann, Marx, Martin, McCloud, McCoy, McKinley, McLain, Mesloh, Miller, Munson, Murlin, Myers of Ashland, Myers of Fayette, Nelson, Newell, Newton, Oren, Parker, Pattison, Pearson, Ramsay, Ray, Richmond, Robb, Sater, Stone, Thompson of Lucas, Thompson of Montgomery, Tryon, Van Meter, Vincent, Watson and Williams—76.

So the bill passed. The title was agreed to.

Messrs. Marx and Miller asked and obtained leave to record their votes on the motion to lay H. B. No. 4 on the table.

Messrs. Marx and Miller being then called, voted in the negative.

Messrs. Gowey, Ford, Morris, Watson, Newell, and Chapman of Meigs asked and obtained leave to record their votes on the motion to table H. B. No. 4.

Messrs. Gowey, Ford, Morris and Newell being called, voted in the negative.

Messrs. Watson and Chapman of Meigs being called, voted in the affirmative.

Messrs. Grosvenor and Stone asked and obtained leave to record their votes on the passage of H. B. No. 285.

Messrs. Grosvenor and Stone being called, voted in the negative.

Messrs. Herron and Stone asked and obtained leave to record their votes on the adoption of S. J. R. No. 36.

Messrs. Herron and Stone being called, voted in the negative.

Mr. Stone asked leave to sign the protest of Mr. Scott and others against the passage of H. B. No. 285.

Which leave was not granted.

Mr. Baker of Coshocton moved a reconsideration of the vote by which H. B. No. 4 was laid on the table.

On which motion the yeas and nays were demanded, ordered, and resulted—yeas 60, nays 22, as follows:

Those who voted in the affirmative were—

Messrs. Baker of Coshocton, Baker of Perry, Barnett, Bay, Bell, Brunner, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Cole, Cooley, Conkright, Duncan, Ford, Geghan, Gowey, Green, Grosvenor, Haag, Hardy, Harrison, Haven, Heitmann, Herron, Hoagland, Hodge, Holloway, Holt, Howland, Huston, Johnson, Light, Mack, Mann, Marx, Martin, McLain, Mesloh, Miller, Morris, Munson, Murlin, Myers of Fayette, Nelson, Newell, Newton, Norton, Oren, Pearson, Poe, Ray, Richards, Sater, Scott, Stone, Thompson of Lucas, Tryon, Van Meter, Vincent and Weible—60.

Those who voted in the negative were—

Messrs. Archer, Barrett, Baskin, Beach, Beatty, Boyce, Brooke, Case, Conklin, Eshelman, McCoy, McKinley, Moorehead, Myers of Ashland, Pattison, Richmond, Robb, Sheppard, Thompson of Montgomery, Varley, White and Williams—22.

So the motion was agreed to.

Mr. Geghan demanded a call of the House, and 97 members answered to their names.

The absentees were Messrs. Coler, Faxon, Gordon, Lewis, Loomis, Neff, Ramsay and West.

The Sergeant-at-Arms was dispatched for absentees.

On motion of Mr. Archer, all further proceedings under the call were dispensed with.

The motion of Mr. White to lay on the table and print, was then disagreed to.

The question then recurred on agreeing to the amendments reported by the committee.

On which the yeas and nays were demanded, ordered, and resulted—yeas 43, nays 45, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Baskin, Beach, Bell, Boyce, Chapman of Cuyahoga, Cole, Cooley, Eshelman, Geghan, Gordon, Green, Haag, Hardy, Hatfield, Heitmann, Hill, Hodge, Holt, Huston, Inman, Kemp, Light, Marx, McCoy, Mesloh, Miller, Morris, Murlin, Myers of Ashland, Nelson, Newell, Newton, Norton, Parker, Pattison, Pearson, Poe, Richmond, Sater, Walker, Weible and White—43.

Those who voted in the negative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Baker of Coshocton, Barnett, Barrett, Bay, Beatty, Blake, Carnahan, Chapman of Meigs, Conkright, Duncan, Faxon, Ford, Gowey, Harrison, Haven, Herron, Holloway, Howland, Johnson, Mack, Mann, Martin, McKinley, McLain, Moorehead, Munson, Myers of Fayette, Oren, Ramsay, Ray, Richards, Robb, Scott, Sheppard, Stone, Thompson of Lucas, Thompson of

Montgomery, Tryon, Van Meter, Varley, Vincent, Watson and Williams —45

So the amendments were not agreed to.

Mr. Mann offered the following amendment to the bill: Strike out all after the word "thereof" in line twenty-five, section 7, to the close of the section.

Mr. Grosvenor moved to amend the amendment as follows:

In line 28 strike out all after the word "aforesaid" to and including the word "sold," in line 37, and insert: "may file with the township clerk in all townships, and the clerk of all municipal corporations, including cities of the first and second class, and all other towns and incorporated villages, the name or names, in writing, of any person or persons to whom such person so giving the notice shall desire that no intoxicating liquor shall be sold; and the clerk of such township, city or incorporated village shall enter the name or names of such person or persons in a book, to be provided by him and paid for as other books of record for such city or incorporated village are paid for, and such entry shall be taken and held to be notice to any liquor seller of such request from and after ten days after the filing of such written notice."

In section 10, line 67, strike out the words "in writing or before witnesses," and insert after the word "in," at the end of the 66th line, "according to the provisions of the 9th section of this act."

On which motion the yeas and nays were demanded, ordered, and resulted—yeas 44, nays 56, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Baker of Fairfield, Baker of Perry, Baskin, Beach, Bell, Cole, Cooley, Conklin, Geghan, Green, Haag, Hardy, Hatfield, Heitmann, Hill, Hoagland, Holt, Huston, Inman, Kemp, Light, McCloud, McCoy, McKinley, Mesloh, Miller, Moorehead, Murlin, Myers of Ashland, Nelson, Newell, Norton, Pearson, Poe, Sater, Sherrick, Thompson of Montgomery, Walker, Weible, White and Speaker—44.

Those who voted in the negative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Baker of Coshocton, Barnett, Barrett, Bay, Beatty, Blake, Boyce, Brooke, Brunner, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Conkright, Duncan, Eshelman, Faxon, Ford, Gowey, Grosvenor, Harrison, Haven, Herron, Hodge, Holloway, Howland, Johnson, Mack, Mann, Marx, Martin, McLain, Morris, Munson, Myers of Fayette, Neff, Newton, Oren, Parker, Pattison, Ramsay, Ray, Richards, Richmond, Robb, Scott, Sheppard, Stone, Thompson of Lucas, Tryon, Van Meter, Varley, Vincent, Watson and Williams—56.

So the amendments were not agreed to.

The amendment offered by Mr. Mann was then disagreed to.

Mr. Haven offered the following amendments:

In line 17, section 1, insert after the word "sustained" the words "as well as exemplary damages."

In line 11, section 1, between the words "of" and "any," insert the words "lessee, or person or persons renting or leasing"; and after the word "premises," in same line, erase the words "renting or leasing the same."

The question being on agreeing to said amendments, the yeas and nays were demanded, ordered, and resulted—yeas 10, nays 76, as follows:

Those who voted in the affirmative were—

Messrs. Baker of Perry, Beach, Bell, Brunner, Cooley, Haven, Howland, Johnson, Myers of Ashland, and Robb—10.

Those who voted in the negative were—

Messrs. Archer, Armstrong of Belmont, Baker of Coshocton, Barnett, Baskin, Beatty, Blake, Boyce, Brooke, Case, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Cole, Conkright, Duncan, Eshelman, Faxon, Ford, Geghan, Green, Grosvenor, Haag, Hardy, Harrison, Hatfield, Heitmann, Herron, Hill, Hoagland, Hodge, Holloway, Holt, Huston, Inman, Kemp, Light, Mann, Marx, Martin, McCloud, McKinley, McLain, Mesloh, Miller, Moorehead, Morris, Munson, Murlin, Myers of Fayette, Neff, Nelson, Newton, Norton, Oren, Parker, Pattison, Pearson, Poe, Ramsay, Ray, Richards, Richmond, Sater, Stone, Thompson of Lucas, Thompson of Montgomery, Tryon, Van Meter, Varley, Vincent, Walker, Watson, Weible, White and Williams—76.

So the amendments were not agreed to.

The question then being on the engrossment of the bill for third reading, the yeas and nays were demanded, ordered, and resulted—yeas 41, nays 56, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Baker of Perry, Baskin, Beach, Bell, Brunner, Cole, Cooley, Gordon, Green, Haag, Hardy, Hatfield, Heitmann, Hill, Hoagland, Huston, Inman, Kemp, Light, Marx, McCloud, McCoy, McKinley, Mesloh, Miller, Moorehead, Murlin, Myers of Ashland, Nelson, Newell, Norton, Parker, Pearson, Poe, Sater, Sheppard, Thompson of Montgomery, Weible, White and Speaker—41.

Those who voted in the negative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Baker of Coshocton, Baker of Fairfield, Barnett, Barrett, Bay, Beatty, Blake, Boyce, Brooke, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Conkright, Duncan, Eshelman, Faxon, Ford, Geghan, Gowey, Grosvenor, Harrison, Haven, Herron, Hodge, Holloway, Holt, Howland, Johnson, Mack, Mann, Martin, McLain, Morris, Munson, Myers of Fayette, Neff, Newton, Oren, Pattison, Ramsay, Ray, Richards, Richmond, Robb, Scott, Stone, Thompson of Lucas, Tryon, Van Meter, Varley, Vincent, Walker, Watson and Williams—56.

So the question of engrossment was not agreed to.

On motion of Mr. Brunner, the House took a recess.

HALF-PAST TWO O'CLOCK P.M.

Mr. Geghan moved a reconsideration of the vote whereby the engrossment of H. B. No. 4 was lost.

Mr. Haag moved to lay the motion on the table.

On which motion the yeas and nays were demanded, ordered, and resulted—yeas 17, nays 53, as follows:

Those who voted in the affirmative were—

Messrs. Baker of Fairfield, Barnett, Case, Cooley, Conklin, Eshelman, Gordon, Haag, Heitmann, Hoagland, Hodge, Light, Miller, Pattison, Poe, Sheppard, and Thompson of Montgomery—17.

Those who voted in the negative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Baker of Coshocton, Barrett, Bay, Beach, Beatty, Bell, Blake, Brunner, Carnahan, Chapman of Meigs, Cole, Conkright, Duncan, Gowey, Green, Grosvenor, Hardy, Harrison, Hatfield, Herron, Holloway, Howland, Huston, Inman, Johnson, Kemp, Loomis, Mack, Mann, Martin, McLain, Morris, Munson, Murlin, Myers of Fayette, Neff, Nelson, Oren, Pearson, Ray, Richards,

Robb, Sater, Scott, Stone, Thompson of Lucas, Van Meter, Varley, Vincent, Weible and Williams—53.

So the motion was disagreed to.

Leave of absence was granted Messrs. Coler and Eidson, time indefinite; and to Mr. Holloway, from to morrow until Tuesday morning.

Mr. Heitmann demanded a call of the House, and 90 members answered to their names

The absentees were Messrs. Baker of Perry, Coler, Cooley, Eidson, Green, Haven, Hill, Lewis, Marx, Morris, Newell, Pearson, Richmond, West and Grosvenor.

The Sergeant-at-Arms was dispatched for absentees.

On motion of Mr. Thompson of Lucas, all further proceedings under the call were dispensed with.

The question then recurring on the motion of Mr. Geghan to reconsider the vote on the engrossment of H. B. No. 4, the yeas and nays were demanded, ordered, and resulted—yeas 44, nays 39, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Baker of Coshocton, Beach, Bell, Boyce, Brunner, Case, Cole, Cooley, Conklin, Geghan, Gordon, Green, Haag, Hardy, Hatfield, Heitmann, Hoagland, Huston, Inman, Kemp, Light, McCloud, McCoy, McKinley, Mesloh, Miller, Moorehead, Morris, Murlin, Nelson, Newell, Norton, Parker, Pattison, Pearson, Poe, Sater, Sheppard, Thompson of Montgomery, Weible, White and Speaker—44.

Those who voted in the negative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Baker of Fairfield, Barnett, Barrett, Bay, Beatty, Blake, Brooke, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Eshelman, Gowey, Grosvenor, Harrison, Herron, Holloway, Holt, Johnson, Loomis, Mack, Martin, Munson, Myers of Fayette, Neff, Newton, Oren, Ramsay, Richards, Robb, Scott, Stone, Thompson of Lucas, Tryon, Van Meter, Varley, Vincent and Williams—39.

So the motion was agreed to.

The question then being on the engrossment of the bill for third reading, the yeas and nays were demanded, ordered, and resulted—yeas 40, nays 47, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Baker of Coshocton, Barrett, Baskin, Beach, Bell, Case, Cole, Cooley, Conklin, Geghan, Gordon, Green, Hardy, Hatfield, Heitmann, Hoagland, Huston, Inman, Kemp, Light, McCloud, McCoy, McKinley, Mesloh, Miller, Moorehead, Murlin, Myers of Ashland, Nelson, Newell, Newton, Norton, Parker, Pearson, Poe, Sheppard, Thompson of Montgomery, Walker, Weible and White—40.

Those who voted in the negative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Baker of Fairfield, Barnett, Barrett, Bay, Beatty, Blake, Boyce, Brooke, Brunner, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Duncan, Eshelman, Gowey, Grosvenor, Harrison, Herron, Hodge, Holloway, Johnson, Loomis, Mack, Mann, Martin, McLain, Morris, Munson, Myers of Fayette, Neff, Oren, Pattison, Ramsay, Ray, Richards, Robb, Scott, Stone, Thompson of Lucas, Tryon, Van Meter, Varley, Vincent, Watson and Williams—47.

So the question of engrossment was lost.

S. B. No. 71: To amend the act entitled an act to establish and maintain an agricultural and mechanical college in Ohio, passed March 22, 1870, was read the third time.

Mr. Scott moved to recommit the bill to a select committee of one, with instructions to amend as follows:

Add to section 2 the following: "No trustee, or relative of any trustee, by blood or marriage, shall be elected or appointed to a professorship or any office or position in the college the compensation for which is to be paid out of the State treasury or the Agricultural and Mechanical College fund."

Mr. Williams moved to amend the instructions as follows:

In section 1, line six, after the word "members," insert: "at least three of whom shall be practical agriculturists."

Which was agreed to.

The question then recurred on the motion of Mr. Scott to commit with instructions as amended by the House.

Mr. Thompson of Lucas moved a reconsideration of the vote by which Mr. Williams' amendment was adopted.

Which was disagreed to.

Mr. Grosvenor moved to amend the amendment to the instructions as follows:

After the word "agriculturists" in the amendment add: "and the other two to be practical mechanics."

Mr. McCoy moved to strike out of the instructions that part offered by Mr. Scott.

On which motion the yeas and nays were demanded, ordered, and resulted—yeas 25, nays 48, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Baskin, Beach, Bell, Chapman of Cuyahoga, Cole, Eshelman, Green, Hatfield, Haven, Hodge, Huston, Inman, Kemp, McCloud, McCoy, Murlin, Norton, Parker, Richards, Richmond, Robb, Thompson of Montgomery, Van Meter and Walker—25.

Those who voted in the negative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Baker of Coshocton, Bay, Beatty, Blake, Boyce, Carnahan, Chapman of Meigs, Cooley, Conklin, Conkright, Faxon, Gowey, Gordon, Grosvenor, Haag, Hardy, Harrison, Hill, Holloway, Holt, Howland, Johnson, Light, Loomis, Mack, Mann, Martin, McLain, Miller, Moorehead, Munson, Myers of Ashland, Myers of Fayette, Nelson, Oren, Pattison, Ray, Scott, Sheppard, Sherrick, Stone, Thompson of Lucas, Varley, Vincent, Weible and White—48.

So the motion was disagreed to.

The amendment to the instructions as offered by Mr. Grosvenor was then disagreed to.

The question then recurred on the motion to commit to a select committee of one, with instructions, as amended by the House.

On which the yeas and nays were demanded, ordered, and resulted—yeas 43, nays 39, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Baker of Coshocton, Bay, Beatty, Brunner, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Conkright, Faxon, Geghan, Gowey, Gordon, Grosvenor, Haag, Harrison, Herron, Hodge, Howland, Johnson, Loomis, Mack, Martin, McCloud, McLain, Miller, Moorehead, Morris, Munson, Myers of Fayette, Nelson, Norton, Oren, Pattison, Richards, Scott, Stone, Thompson of Lucas, Vincent, Weible, White and Williams—43.

Those who voted in the negative were—

Messrs. Archer, Baker of Fairfield, Barnett, Baskin, Beach, Bell, Boyce, Brooke, Case, Cole, Cooley, Conklin, Duncan, Eshelman, Green, Hatfield, Haven, Heitmann, Hill, Hoagland, Holt, Huston, Inman, McCoy, McKinley, Mesloh, Murlin, Neff, Newell, Parker, Pearson, Poe, Richmond, Robb, Sater, Sheppard, Sherrick, Thompson of Montgomery, Van Meter and Walker—39.

So the motion was agreed to, and Mr. Scott appointed said committee, who, on leave, reported the bill back, amended as instructed.

Said bill was then ordered to be re-engrossed.

Mr. Blake submitted the following report:

The committee on Revision have examined, and found correctly engrossed, H. B. No. 156.

ORVIL BLAKE, GEO. W. BOYCE,
WILLIAM M. MCKINLEY, JOHNSON SHERRICK.

On motion of Mr. Brunner, H. B. No. 156, prescribing the mode for the appropriation of property by corporations, was read the third time.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 86, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Armstrong of Guernsey, Baker of Coshocton, Baker of Perry, Barrett, Bay, Beach, Beatty, Blake, Boyce, Brooke, Brunner, Case, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Cole, Cooley, Conklin, Duncan, Eshelman, Faxon, Ford, Geghan, Gowey, Green, Grosvenor, Haag, Harrison, Hatfield, Haven, Heitmann, Herron, Hill, Hoagland, Holloway, Holt, Howland, Huston, Inman, Johnson, Kemp, Loomis, Mack, Mann, Martin, McCloud, McCoy, McKinley, McLain, Moorehead, Morris, Munson, Murlin, Myers of Ashland, Myers of Fayette, Neff, Nelson, Newell, Newton, Norton, Oren, Parker, Pattison, Pearson, Poe, Ramsay, Richards, Richmond, Robb, Sater, Scott, Sheppard, Sherrick, Stone, Thompson of Lucas, Thompson of Montgomery, Tryon, Van Meter, Varley, Vincent, Walker, Watson, Weible, and Williams—86.

So the bill passed. The title was agreed to.

Leave of absence was granted Mr. Sater until Monday next on account of sickness.

On motion of Mr. Heitmann, S. B. No. 85, to amend sections 52 and 53 of an act entitled an act to provide for the uniform government and better regulation of the lunatic asylums of the State, and the care of idiots and the insane, passed and took effect April 7, 1856, was read the third time.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 77, nays 6, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Armstrong of Guernsey, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Barrett, Beatty, Blake, Boyce, Brooke, Case, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Cole, Cooley, Conklin, Duncan, Eshelman, Faxon, Ford, Geghan, Gowey, Green, Grosvenor, Haag, Harrison, Haven, Heitmann, Herron, Hill, Hoagland, Hodge, Holt, Howland, Inman, Johnson, Kemp, Loomis, Mann, McCloud, McCoy, McKinley, McLain, Mesloh, Moorehead, Morris, Munson, Myers of Ashland, Myers of Fayette, Neff, Nelson, Newton, Norton, Oren, Pattison, Pearson, Poe, Ramsay, Richards, Richmond, Robb, Sater, Sheppard, Sherrick, Stone, Thompson of Lucas, Thompson of Mont-

gomery, Tryon, Van Meter, Vincent, Watson, Weible, Williams and Speaker—77.

Those who voted in the negative were—

Messrs. Baskin, Beach, Hardy, Huston, Newell and Parker—6.

So the bill passed. The title was agreed to.

On motion of Mr. Poe, H. B. No. 312, to amend section 29 of an act establishing the superior court for the city of Cleveland, passed May 5, 1873, was read the third time.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 66, nays 9, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Armstrong of Guernsey, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Barrett, Baskin, Bay, Beach, Boyce, Brooke, Brunner, Case, Chapman of Meigs, Cole, Cooley, Conklin, Conkright, Eshelman, Geghan, Green, Harrison, Hatfield, Haven, Heitmann, Herron, Hill, Hoagland, Howland, Huston, Inman, Kemp, Mann, McCloud, McCoy, McKinley, McLain, Mesloh, Miller, Moorehead, Morris, Munson, Myers of Ashland, Myers of Fayette, Nelson, Newell, Oren, Pattison, Pearson, Poe, Ramsay, Robb, Scott, Sheppard, Stone, Thompson of Lucas, Thompson of Montgomery, Tryon, Van Meter, Vincent, Walker, Watson, Weible and White—66.

Those who voted in the negative were—

Messrs. Blake, Chapman of Cuyahoga, Duncan, Faxon, Grosvenor, Haag, Hodge, Johnson and Richmond—9.

So the bill passed. The title was agreed to.

S. B. No. 71 having been re-engrossed, on motion of Mr. Scott, was put on its passage.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 70, nays 11, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Guernsey, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Baskin, Beach, Boyce, Brooke, Brunner, Case, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Cole, Cooley, Conklin, Duncan, Eshelman, Faxon, Geghan, Green, Harrison, Hatfield, Haven, Heitmann, Hill, Hoagland, Hodge, Holt, Huston, Inman, Johnson, Mack, Mann, Martin, McCoy, McLain, Mesloh, Miller, Moorehead, Morris, Munson, Murlin, Myers of Ashland, Myers of Fayette, Nelson, Newell, Newton, Norton, Parker, Pattison, Pearson, Poe, Ramsay, Richmond, Robb, Scott, Sheppard, Stone, Thompson of Lucas, Thompson of Montgomery, Tryon, Van Meter, Varley, Vincent, Walker, Weible and Speaker—70.

Those who voted in the negative were—

Messrs. Armstrong of Belmont, Barrett, Beatty, Blake, Conkright, Grosvenor, Herron, Holloway, Howland, Loomis and McKinley—11.

So the bill passed. The title was agreed to.

On motion of Mr. Thompson of Lucas, the House adjourned.

Attest: THOMAS COUGHLIN, *Clerk.*

FRIDAY, MARCH 27, 1874—10 o'clock A.M.

The House met pursuant to adjournment.

Prayer by Rev. Orvil Blake, member from Portage county.

Mr. Grosvenor moved to postpone the reading of the Journal until tomorrow morning.

On which motion the yeas and nays were demanded, ordered, and resulted—yeas 29, nays 18, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Guernsey, Baker of Perry, Barnett, Beatty, Blake, Brunner, Case, Carnahan, Chapman of Meigs, Cole, Conkright, Grosvenor, Haag, Hill, Hoagland, Holt, Howland, Inman, Morris, Munson, Oren, Parker, Ramsay, Richards, Robb, Thompson of Montgomery, Van Meter, Weible and Speaker—29.

Those who voted in the negative were—

Messrs. Baker of Coshocton, Baskin, Beach, Eshelman, Geghan, Hardy, Herron, Holloway, Light, Mann, McCloud, Mesloh, Moorehead, Newell, Pattison, Poe, Scott and White—18.

No quorum voting, the motion was lost.

Mr. Eshelman demanded a call of the House, and 61 members answered to their names.

The absentees were Messrs. Archer, Armstrong of Belmont, Barrett, Bay, Bell, Boyce, Brooke, Chapman of Cuyahoga, Coler, Cooley, Duncan, Eidson, Ford, Geghan, Gowey, Gordon, Hatfield, Haven, Hodge, Huston, Johnson, Kemp, Loomis, Marx, McLain, Miller, Murlin, Myers of Ashland, Nelson, Newton, Norton, Parker, Ray, Richards, Richmond, Sater, Sheppard, Sherrick, Stone, Vincent, Walker, Watson and West.

The Sergeant-at-Arms was dispatched for absentees.

Leave of absence was asked and obtained as follows: Mr. Bay for time indefinite, Mr. Norton for this day, and for Mr. Gowey until to-morrow.

On motion of Mr. Faxon, all further proceedings under the call were dispensed with.

Mr. Morris moved a reconsideration of the vote by which H. B. No. 312 was lost.

On which motion the yeas and nays were demanded, ordered, and resulted—yeas 6, nays 47, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Guernsey, Blake, Faxon, Haag, Morris and Richards—6.

Those who voted in the negative were—

Messrs. Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Baskin, Beach, Beatty, Brooke, Case, Chapman of Meigs, Cole, Conklin, Conkright, Eshelman, Geghan, Hardy, Harrison, Heitmann, Herron, Hill, Hoagland, Howland, Inman, Light, Mack, Mann, McCloud, McCoy, McKinley, Mesloh, Miller, Moorehead, Myers of Fayette, Newell, Oren, Parker, Pearson, Poe, Robb, Scott, Thompson of Lucas, Thompson of Montgomery, Tryon, Van Meter, Varley, Weible and White—47.

So the motion to reconsider was lost.

The Journals of Friday and Saturday of last week, and of Monday, Tuesday, Wednesday and Thursday of this week, were then read and approved.

Mr. Williams presented the remonstrance of George W. Ridgway and 121 other citizens of Berlin township, Delaware county, against the passage of any bill creating a special school district in said township.

Which was referred to the committee on Common Schools and School Lands.

Mr. Heitmann presented the memorial of C. F. Needles, master of Groveport Grange, and J. P. Arnold, secretary, Franklin county, asking a reduction of the compensation of county officers.

Which was read at the Clerk's desk, and laid on the table.

The following bills were read the second time:

S. B. No. 57: To amend section 1 of an act entitled an act to enable associations of persons for building hotels, and for other purposes, to become bodies corporate, passed April 5, 1866, as amended by an act passed April 25, 1868.

Referred to the committee on Corporations other than Municipal.

S. B. No. 72: To provide for the disposition of unclaimed freight and express packages, and to amend an act entitled an act providing for the disposition of unclaimed freight and express packages, passed April 16, 1867.

Referred to the committee on Railroads and Telegraphs.

S. B. No. 92: Limiting the rates of taxation in municipal corporations, and to repeal the act entitled an act limiting the rates of taxation in municipal corporations, passed May 2, 1871.

Referred to the committee on Municipal Corporations.

S. B. No. 98: To amend an act entitled an act to incorporate sharpshooters' associations, passed March 6, 1867.

Referred to the committee on Military Affairs.

S. B. No. 114: To authorize boards of education of incorporated villages and separate school districts in the State of Ohio to determine on places to pay interest and principal of bonds of which they are authorized to issue and sell.

Referred to the committee on Common Schools and School Lands.

S. B. No 123: Granting the consent of the General Assembly of the State of Ohio to the Government of the United States to acquire, by purchase or otherwise, lands within the State of Ohio needed for the improvement of the navigation of the Ohio river.

Referred to the committee on Federal Relations.

S. B. No. 125: To authorize the commissioners of Washington county to levy a tax for constructing a road.

Referred to the committee on New Counties and County Affairs.

S. B. No. 130: Supplementary to an act passed April 30, 1869, entitled an act to amend section 4 of an act entitled an act for opening and regulating roads and highways, passed January 27, 1853.

Referred to the committee on Roads and Highways.

On motion of Mr. McCloud, the House took a recess.

HALF-PAST TWO O'CLOCK P.M.

The House reassembled pursuant to recess.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The following bills have been introduced in the Senate, and read the first time:

S. B. No. 150—By Mr. Ellis: To authorize the city council of the city of Zanesville, Ohio, to issue bonds and borrow money for the purchase of additional cemetery grounds.

S. B. No. 151—By Mr. Burton: To amend an act entitled an act to regulate the practice of pharmacy in certain cities of the first class, and for other purposes, passed May 5, 1873. (O. L., pp. 287–288.)

S. B. No. 152—By Mr. Yeoman: To amend section 7 of an act entitled an act to provide against the evils resulting from the sale of intoxicating liquors in the State of Ohio, passed May 1, 1854 (S. & C., 1431), as amended April 18, 1870 (O. L., Vol. 67, p. 101).

S. B. No. 153—By Mr. Burns: To amend section 13 of the act of May 1, 1852, entitled an act to provide for the creation and regulation of incorporated companies in the State of Ohio, as amended April 25, 1873. (O. L., Vol. 70, p. 161.)

Attest: S. K. DONAVIN, *Clerk.*

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has passed the following bills, in which the concurrence of the House of Representatives is requested:

S. B. No. 28—By Mr. Knox: To amend section 2 of an act to establish a code of criminal procedure for the State of Ohio, passed May 6, 1869, took effect August 1, 1869. (O. L., Vol. 66, p. 287.)

Attest: S. K. DONAVIN, *Clerk.*

Said bill was read the first time.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has concurred in House amendments to S. B. No. 112, for the relief of the board of education of the city of Mansfield, Ohio.

Attest: S. K. DONAVIN, *Clerk.*

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has concurred in House amendments to S. B. No. 40, to amend an act entitled an act to regulate and govern the Ohio Penitentiary, passed April 1, 1867.

Attest: S. K. DONAVIN, *Clerk.*

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has passed the following bill, in which the concurrence of the House of Representatives is requested:

S. B. No. 33—By Mr. Worthington: To amend and repeal certain acts therein named.

Attest: S. K. DONAVIN, *Clerk.*

Said bill was read the first time.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has concurred in House amendments to S. B. No. 100, to extend the provisions of an act entitled an act supplementary to an act to provide for the organization and government of municipal corporations, passed May 7, 1869, amended January 29, 1873, to cities of the first class which have been advanced to that grade during decennial periods.

Attest: S. K. DONAVIN, *Clerk.*

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has concurred in the adoption of H. J. R. No. 36, relating to the appointing of a committee to examine the cells, etc., of the Penitentiay; and the President has appointed Mr. Thompson as said committee on the part of the Senate.

Attest: S. K. DONAVIN, *Clerk.*

Messrs. Pattison and Holt were appointed as said committee on the part of the House.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has concurred in the passage of H. B. No. 168, authorizing the commissioners of Hamilton county to build a new bridge and approaches on the present Union bridge site.

Attest: S. K. DONAVIN, *Clerk.*

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has passed the following bills, in which the concurrence of the House of Representatives is requested:

S. B. No. 129—By Mr. Thompson: To amend sections 1, 2, 5, 6 and 7 of an act entitled an act to reorganize the Institution for the Education of the Blind, and to repeal certain laws heretofore passed, passed and took effect April 6, 1866 (S. & S., pp. 46–48), and section 2 as amended March 10, 1873. (Vol. 70 O. L., pp. 58 and 59.)

S. B. No. 131—By Mr. Hudson: To create two election precincts in Put-in-Bay township, Ottawa county.

Attest: S. K. DONAVIN, *Clerk.*

Said bills were read the first time.

Mr. McCoy submitted the following report:

The committee of conference appointed upon S. B. No. 4 have had under consideration the said bill and the matters in difference between the two houses, and have agreed upon the following report and recommendations:

1st. That the Senate concur in the amendment of the House in line 34 of section 13, inserting after the word "aggrieved" the words "for every such overcharge."

2d. That the House recede from its amendment in line 39 of section 13, of striking out the words "and fifty."

3d. That the House recede from its amendment striking out all after the word "dollars," in line 39 in section 13.

4th. Strike out the word "other," in line 44 of section 13, and insert after the word "corporation" the words "operating any other railroad."

5th. That the Senate concur in the House amendment to strike out the word "ten," in line 18 of section 13, and insert in place thereof the word "thirty;" and also striking out the word "ten," and inserting the word "thirty," in line 20 of section 13.

6th. That the following amendment be inserted immediately after the word "law," in line 24 of section 13, to wit: "Provided, that for the transportation of coal, iron ore, undressed stone or lumber, not more than five cents per ton per mile shall be charged for any distance whatever."

In which recommendations and amendments we recommend that each house concur.

L. C. JONES,	MILT. MCCOY,
JOHN G. THOMPSON,	ALLEN J. BEACH,
W. P. REID,	T. B. WILLIAMS,
Senate Committee.	*House Committee.*

On motion of Mr. McCoy, said report was laid on the table.

On motion of Mr. Thompson of Lucas, the constitutional rule was dispensed with, and S. B. No. 131 was read the second and third times.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 64, nays 2, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Barrett, Baskin,

Beatty, Blake, Case, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Cole, Conklin, Conkright, Eshelman, Faxon, Geghan, Gordon, Green, Grosvenor, Hardy, Harrison, Haven, Heitmann, Herron, Hill, Holt, Huston, Inman, Loomis, Mann, Marx, McCloud, McCoy, Mesloh, Moorehead, Morris, Munson, Murlin, Myers of Fayette, Neff, Newell, Newton, Oren, Parker, Pearson, Ramsay, Ray, Richmond, Robb, Scott, Stone, Thompson of Lucas, Thompson of Montgomery, Van Meter, Varley, Vincent, Walker, Weible, White and Speaker—64.

Messrs. Haag and Hoagland voted in the negative.

So the bill passed. The title was agreed to.

Mr. Norton moved to dispense with the constitutional rule, and that all bills now on the calendar for second reading be read the second time by their title.

Which was disagreed to.

Mr. Baker of Perry moved to dispense with the constitutional rule, and that H. B. No. 301 be read by its title.

Which was disagreed to.

On motion of Mr. Baker of Perry, said H. B. No. 301 was then indefinitely postponed.

Mr. McKinley submitted the following report:

The committee on Revision have examined, and found correctly engrossed, H. B. No. 233. WILLIAM M. MCKINLEY, JON. MORRIS, ORVIL BLAKE, E. B. PARKER.

Leave of absence until Monday next was granted Mr. Norton.

The House then resumed the second reading of bills.

H. B. No. 302: To repeal an act therein named.

Referred to the committee on Turnpikes.

H. B. No. 303: To prevent the indiscriminate sale of spiritous, vinous and malt liquors in the State of Ohio

Referred to the committee on Temperance.

H. B. No. 304: To amend an act entitled an act regulating the Commercial Hospital of Cincinnati, passed March 11, 1861, and to repeal certain amendments thereto, passed February 29, 1864.

Referred to the committee on Medical Colleges and Societies.

H. B. No. 305: To amend section 34 of an act to regulate the election of State and county officers, passed May 3, 1852.

Referred to the committee on the Judiciary.

H. B. No. 308: To create two election precincts in Scipio township, Meigs county.

On motion of Mr. Chapman, said bill was ordered to be engrossed, and read the third time Monday next.

Leave of absence was granted to Messrs. Blake, Johnson, and Thompson of Montgomery until Monday next; to Messrs. Vincent, Baker of Coshocton, Morris and Beatty until Tuesday next; and to Mr. Richards for time indefinite.

Mr. Murlin, on leave, submitted the following report:

The committee on New Counties and County Affairs, to whom was referred H. B. No. 307, for the relief of the county treasury of Brown county, Ohio, having had the same under consideration, report it back, and recommend its engrossment and passage.

HIRAM MURLIN, R. RAMSAY,
JAMES WATSON, E. M. WALKER.
J. B. RAY,

Said bill was ordered to be engrossed, and read the third time Tuesday next.

Mr. Murlin, on leave, submitted the following report:

The committee on New Counties and County Affairs, to whom was referred H. B. No. 306, to amend section 19 of an act for the relief of the poor, passed April 26, 1872, having had the same under consideration, report it back, with the following amendment, and recommend its engrossment and passage:

In line 7, after the word "of," insert "the territory to be taxed for the support thereof in."

HIRAM MURLIN, JAMES WATSON,
E. M. WALKER, J. B. RAY.
RICHARD RAMSAY,

The amendment was agreed to, and said bill ordered to be engrossed, and read the third time Wednesday next.

Mr. Beatty, on leave, submitted the following report:

The committee on the Judiciary, to whom was referred H. B. No. 246, to amend section 439 of an act entitled an act to provide for the organization and government of municipal corporations, passed May 7, 1869, having had the same under consideration, report it back, with the following amendment, and recommend its engrossment and passage: At the end of secton 1, after the word "action," add as follows: "Provided, that each defendant in said action shall have the same right of peremptory challenge of jurors as are now allowed to defendants by law."

WM. W. BEATTY, J. M. PATTISON,
W. P. HOWLAND, C. H. GROSVENOR,
T. M. ROBB, J. M. HAAG.
C. C. ARCHER,

The amendment was agreed to; and said bill was then ordered to be engrossed, and read the third time Wednesday next.

Mr. Beatty, on leave, submitted the following report:

The committee on Judiciary, to whom was referred H. B. No. 256, to provide for the introduction and efficiency of testimony in certain cases, having had the same under consideration, report it back, and recommend its indefinite postponement.

WM. W. BEATTY, T. M. ROBB,
J. H. HEITMANN, W. P. HOWLAND.
C. C. ARCHER,

Said report was agreed to, and the bill indefinitely postponed.

Mr. Robb, on leave, submitted the following report:

The committee on Privileges and Elections, to whom was referred H. B. No. 183, supplementary to an act entitled an act to protect the elections of voluntary political associations, and to punish frauds therein, passed February 24, 1871, having had the same under consideration, report it back, with the following amendments, and recommend that, being so amended, it be engrossed and passed:

In line five, after the word "any," strike out the words "city, township, county or State."

In line six, after the word "convention," insert the words "held under this act."

In line six, after the word "State," strike out the words "as such under this act."

In line thirteen, after the word "court," add the words "and in addition shall be disqualified from voting, or being nominated at any election or convention held under the provisions of this act."

In line fourteen, after the word "any," and before the word "convention," strike out the word "political."

In line fifteen, after the word "convention," add the words "held under the provisions of the act to which this is amendatory."

In line twenty-three, after the word "elected," add the words "and in addition shall be disqualified from voting, or being nominated at any election or convention held under the provisions of this act."

T. M. ROBB, HIRAM MURLIN,
L. A. BRUNNER, SHELDEN NEWTON.
C. C. ARCHER,

The amendments were agreed to; and said bill was then ordered to be engrossed, and read the third time Thursday next.

Mr. Robb, on leave, submitted the following report:

The committee on Privileges and Elections, to whom was referred H. B. No. 224, to amend section 1 of an act to protect the elections of voluntary political associations, and punish frauds therein, passed February 24, 1871, having had the same under consideration, report it back, with the recommendation that it be engrossed and passed.

T. M. ROBB, HIRAM MURLIN,
L. A. BRUNNER, SHELDEN NEWTON.
C. C. ARCHER,

Said bill was then ordered to be engrossed, and read the third time Wednesday next.

Mr. Hardy, on leave, submitted the following report:

The committee on Turnpikes, to whom was referred H. B. No. 298, to authorize county commissioners to repair improved roads in certain cases, having had the same under consideration, report it back, and recommend its passage.

G. H. EIDSON, A. W. MUNSON,
HENRY HARDY, E. M. WALKER,
E. M. GREEN, JOHN L. MYERS.

Said bill was ordered to be engrossed, and read the third time Monday next.

On motion of Mr. Haag, the constitutional rule was dispensed with, and H. B. No. 310 was read the second time by its title, and referred to the committee on Corporations other than Municipal.

The following bills were then read the second time:

H. B. No. 311: Creating a special school district in the township of Berlin, and county of Delaware.

Referred to the committee on Common Schools and School Lands.

H. B. No. 313: For the relief of John D. Vance, late Sergeant-major of the 24th Ohio Volunteer Infantry.

Referred to the committee on Judiciary.

H. B. No. 315: To encourage the planting and cultivation of trees.

Referred to the committee on Agriculture.

H. B. No. 316: To amend and extend the provisions of an act to raise revenue, protect sheep and confiscate dogs, passed April 28, and took effect May 1, 1868.

Referred to the commitee on Agriculture.

H. B. No. 317: To authorize the board of education of the Huntsville school district, in the incorporated village of Huntsville, in the county of Logan, to borrow money and issue bonds to build a school-house, or addition to the school-house in said village, and to purchase additional territory to school-house lot.

Said bill was then ordered to be engrossed, and read the third time on Tuesday next.

H. B. No. 318: To vacate so much of the Hocking canal as lies eastward of the lock at the village of Chauncey, Athens county.

Referred to the committee on Public Works.

H. B. No. 319: To amend and supplementary to an act entitled an act to declare the true intent and meaning of the first section of the act entled an act to amend an act to establish a university in the town of Athens, passed February 21, A.D. 1805, passed March 10, 1843.

Mr. Grosvenor moved to refer the bill to a select committee of one.

Mr. Herron moved to refer the bill to the committee on Judiciary.

The question being on referring to a select committee of one, it was agreed to; and Mr. Grosvenor was appointed said committee.

On motion of Mr. McCloud, the constitutional rule was dispensed with, and H. B. No. 320, to regulate Ohio Soldiers' and Sailors' Orphans' Home, located at Xenia, and to repeal an act entitled an act to establish Ohio Soldiers' and Sailors' Orphan's Home, passed April 15, 1870; also, an act entitled an act to amend section 6 of an act to establish Ohio Soldiers' and Sailors' Orphans' Home, passed April 25, 1872, was read the second time by its title, and referred to the committee on Soldiers' and Sailors' Orphans' Home.

Mr. Grosvenor demanded a call of the House, and 61 members answered to their names.

The absentees were Messrs. Archer, Armstrong of Belmont, Baker of Coshocton, Baker of Perry, Bay, Boyce, Brooke, Carnahan, Coler, Cooley Duncan, Eidson, Ford, Geghan, Gowey, Hatfield, Hodge, Holloway, Huston, Johnson, Kemp, Lewis, Light, Mack, Marx, Martin, McLain, Miller, Myers of Ashland, Nelson, Newton, Norton, Parker, Pattison, Pearson, Richards, Sater, Sheppard, Sherrick, Tryon, Van Meter, Watson, West and Williams.

The Sergeant-at Arms was dispatched for absentees.

Mr. Morris moved that all further proceedings under the call be dispensed with.

On which motion the yeas and nays were demanded, ordered, and resulted—yeas 22, nays 33, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Guernsey, Baker of Perry, Beatty, Blake, Case, Chapman of Cuyahoga, Cole, Haven, Holt, Howland, Morris, Munson, Neff, Oren, Parker, Poe, Ramsay, Robb, Thompson of Lucas, Varley, Vincent and White—22.

Those who voted in the negative were—

Messrs. Armstrong of Belmont, Baker of Fairfield, Barnett, Baskin, Beach, Bell, Brunner, Conklin, Conkright, Eshelman, Gordon, Green, Grosvenor, Haag, Hardy, Heitmann, Hill, Hoagland, Loomis, Mann, McCoy, McKinley, Mesloh, Moorehead, Murlin, Myers of Fayette, Newell, Ray, Richmond, Stone, Van Meter, Walker and Weible—33.

So the motion was disagreed to.

Mr. Oren moved that the House do now adjourn.

On which motion the yeas and nays were demanded, ordered, and resulted—yeas 25, nays 34, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Belmont, Beatty, Blake, Brunner, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Conkright, Faxon, Gordon, Grosvenor, Herron, Holt, Loomis, Mann, Martin, Munson, Myers of Fayette, Neff, Oren, Richmond, Scott, Van Meter, Weible and White—25.

Those who voted in the negative were—

Messrs. Baker of Fairfield, Baker of Perry, Barnett, Baskin, Beach, Bell, Case, Cole, Conklin, Eshelman, Green, Harrison, Haven, Heitmann, Hill, Howland, Inman, McCloud, McCoy, McKinley, Mesloh, Morris, Murlin, Newell, Parker, Poe, Ray, Robb, Stone, Thompson of Lucas, Thompson of Montgomery, Varley, Walker and Speaker—34.

So the House refused to adjourn.

Mr. Morris moved that all further proceedings under the call be dispensed with.

On which motion the yeas and nays were demanded, ordered, and resulted—yeas 46, nays 8, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Baker of Fairfield, Baker of Perry, Barnett, Barrett, Blake, Case, Carnahan, Chapman of Cuyahoga, Cole, Cooley, Conkright, Eshelman, Faxon, Geghan, Green, Haag, Harrison, Haven, Herron, Hill, Howland, Inman, Mann, McCloud, McCoy, McKinley, Mesloh, Moorehead, Morris, Murlin, Myers of Fayette, Parker, Poe, Ramsay, Ray, Richmond, Scott, Stone, Thompson of Lucas, Thompson of Montgomery, Varley, Vincent, Weible and White—46.

Those who voted in the negative were—

Messrs. Bell, Brunner, Gordon, Grosvenor, Hardy, Heitmann, Martin and Walker—8.

So the motion was agreed to.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has concurred in the report of the committee of conference on S. B. No. 4, to amend section 13 of the act of May 1, 1852, entitled an act to provide for the creation and regulation of incorporated companies in the State of Ohio, as amended April 25, 1873.

Attest: S. K. DONAVIN, *Clerk.*

On motion of Mr. McCoy, the report of the committee of conference was taken from the table.

On motion of Mr. McCoy, said report was referred to a select committee of three—Messrs. McCoy, Beach and Scott.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate requests the return of S. J. R. No. 17, relative to the relief of T. F. and W. A. Jones, contractors.

Attest: S. K. DONAVIN, *Clerk.*

On motion of Mr. Grosvenor, the request was acceded to.

The following communication was received from the Governor:

EXECUTIVE DEPARTMENT,
COLUMBUS, *March* 27, 1874.

To the General Assembly:

I have the honor to transmit the third annual report of the Board of Trustees of the Ohio Agricultural and Mechanical College.

Having but one copy, I send it to the Senate.

W. ALLEN, *Governor.*

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has concurred in House amendments to S. B. No. 85, to amend sections 52 and 53 of an act entitled an act to provide for the uniform government and better regulation of the lunatic asylums of the State, and the care of idiots and the insane, passed and took effect April 7, 1856.

Attest: S. K. DONAVIN, *Clerk.*

On motion of Mr. Haag, the House took a recess until 10 o'clock tomorrow morning.

SATURDAY, MARCH 28, 1874—10 o'clock A.M.

The House met pursuant to recess.

Prayer by Rev. Richard Ramsay, member from Adams county.

Leave of absence was granted as follows:

To Messrs. Watson, Varley, Hill, Sheppard, Thompson of Lucas, and Thompson of Montgomery, until Monday next; and to Mr. Herron, until Tuesday next.

The following bills were read the second time:

H. B. No. 321: To amend section 9 of an act entitled an act concerning divorce and alimony, passed March 11, 1853, as amended March 1, 1870, and amended February 27, 1873.

Referred to the committee on the Judiciary.

H. B. No. 322: To amend an act entitled an act to prevent cruelty to animals, passed April 4, 1871.

Referred to the committee on Corporations other than Municipal.

Leave of absence for an indefinite time was granted Messrs. McKinley, Faxon and Munson.

On motion of Mr. Beach, the House adjourned.

Attest: THOMAS COUGHLIN, *Clerk.*

MONDAY, MARCH 30, 1874—10 o'clock A.M.

The House met pursuant to adjournment.

Prayer by Elder Lyman B. Hanover.

The Journal of Friday and Saturday was read and approved.

Mr. Pattison submitted the following report:

The joint committee on Enrollment have examined, and found correctly enrolled, the following bills and joint resolutions:

S. B. No. 119: To amend the first section of an act entitled an act relating to wills, and the repeal of former acts relating thereto, passed May 3, 1852, took effect June 1, 1852.

S. B. No. 112: For the relief of the board of education of the city of Mansfield, Ohio.

S. B. No. 40: To amend an act entitled an act to regulate and govern the Ohio Penitentiary, passed April 1, 1867.

S. B. No. 100: To extend the provisions of an act entitled an act supplementary to an act to provide for the organization and government of municipal corporations, passed February 10, 1870, amended January 29, 1873, to cities of the first class which have been advanced to that grade during decennial periods.

S. B. No. 58: Supplementary to an act entitled an act for the establishment, support and regulation of children's homes in the several counties of the State, and to repeal a certain act therein named, passed and took effect April 7, 1867.

S. B. No. 107: To extend the provisions of the act entitled an act to promote and encourage law library associations, passed April 27, 1872.

S. J. R. No. 31: Determining on a day on which to adjourn.

S. J. R. No. 33: Expressing sorrow for the death of United Senator Charles Sumner.

J. C. FISHER,	J. M. PATTISON,
S. KNOX,	E. B. PARKER,
M. C. LAWRENCE,	HENRY HARDY.
A. M. BURNS,	

The Speaker, in presence of the House, signed said bills and joint resolutions.

Mr. Chapman of Meigs submitted the following report:

The joint committee on Enrollment have examined, and found correctly enrolled, the following bills and joint resolution:

S. B. No. 10: To amend section 28 of the code of criminal procedure, passed April 18, A.D. 1870.

S. B. No. 89: To amend an act entitled an act to establish a code of criminal procedure for the State of Ohio, passed May 6, 1869.

S. B. No. 59: To authorize a special term of the district court of Adams county.

S. B. No. 49: Supplementary to an act entitled an act for the reorganization and maintenance of common schools, passed May 1, 1873.

S. B. No. 8: To amend section 543 of the act to provide for the organization and government of municipal corporations, passed May 7, 1869, and as amended May 2, 1871.

S. B. No. 43: To amend an act entitled an act supplementary to an act to provide for the creation and regulation of incorporated companies in the State of Ohio, passed May 2, 1871.

S. B. No. 52: To amend section 464 of an act to establish a code of civil procedure, passed March 11, 1853.

S. B. No. 78: To amend sections 23, 24 and 25 of an act for the reorganization and maintenance of common schools, passed May 1, 1873.

S. B. No. 62: To authorize the board of county commissioners of the county of Franklin, Ohio, to use and apply any unexpended moneys levied and collected upon the duplicate of said county for the erection of a new building for the infirmary of said county in payment of the interest and principal of the Agricultural and Mechanical College bonds of said county.

S. J. R. No. 25: Authorizing the Commissioners of the State Library to make improvements in the library room.

J. C. FISHER,	O. B. CHAPMAN,
S. KNOX,	H. M. CHAPMAN,
A. M. BURNS,	B. NEFF,
M. C. LAWRENCE,	J. M. PATTISON.

The Speaker, in presence of the House, signed said bills and joint resolution.

Mr. Loomis presented the petition of Samuel Hale and twenty-seven other citizens of Medina county, asking for the enactment of a law making members of secret oath-bound societies incompetent as jurors upon the challenge of parties at interest; also, the same regarding witnesses, etc.

Which was referred to the committee on Judiciary.

Mr. Lewis presented the remonstrance of Rev. Jesse Knisley and one hundred and fifty other citizens of Tuscarawas county, against the repeal or modification of any of the present liquor laws of the State of Ohio.

Which was referred to the committee on Temperance.

Mr. Lewis presented the remonstrance of Mrs. George Bagnell, Mrs. E. K. Mulvany, Mrs. Goudy, and one hundred and fifty other citizens of Tuscarawas county, against the repeal, or modification or amendment of the present liquor laws of the State of Ohio.

Which was referred to the committee on Temperance.

Mr. Lewis presented the remonstrance of Simpson Harmount, John D. Laughead and 216 other citizens of Tuscarawas county, respectfully remonstrating against the repeal, amendment or modification of any of the present liquor laws of the State of Ohio.

Which was referred to the committee on Temperance.

Mr. Hodge, on leave, introduced the following bill, which was read the first time:

H. B. No. 331—By Mr. Hodge: To amend section 1 of an act entitled an act to regulate the platting of lands and laying out of streets in municipal corporations, passed March 13, 1871. (O. L., Vol. 68, p. 36.)

Mr. Murlin presented the petition of James Shepherd and 35 other citizens of Mercer county, asking for the passage of H. B. No. 203.

Which was referred to the committee of the Whole House.

Mr. McCoy presented the petition of the board of education of Bowling Green and other citizens of Wood county, in favor of the passage of H. B. No. 203.

Which was referred to the committee of the Whole House.

Mr. Scott, on leave, offered for adoption the following resolution:

H. J. R. No. 40: WHEREAS, A bill introduced by Hon. Geo. W. McCrary, of Iowa, has just passed the lower House of Congress, providing for the appointment of a board of railroad commissioners, whose duty it shall be to institute a thorough investigation and inquiry into rates, tolls and compensation charged for transporting freights and passengers over all lines of railroads, and, as soon as possible after such investigation, to prepare a schedule of reasonable maximum rates of charges for transportation of passengers and freights, and providing that no railroad company shall charge a greater rate than is prescribed in said schedule; and

WHEREAS, The only feasible way of adjusting railroad charges on through lines, so as to protect the rights of the people, and at the same time not do injustice to railroad companies, is by national legislation; therefore

Resolved by the General Assembly of the State of Ohio, That our Senators be and they are hereby instructed to vote for and use their influence for the passage of said bill into a law.

On motion of Mr. McCoy, said resolution was laid on the table, and ordered to be printed in advance of other House printing.

Mr. Bell, on leave, offered the following resolution, which was adopted:

H. R. No. 92: *Resolved*, That the Board of Public Works be and they are hereby requested to have examined by a competent engineer the culvert under the Ohio canal at Shawnee run, at Tea run, Bowling Green, and at or near Phillip Wickham's store, all in Madison township, Licking county, and report to this House, at their earliest convenience, whether said culverts are sufficient to permit the flow of all surplus water; and if not, the probable cost of so reconstructing them as to accomplish that object.

Mr. Blake, on leave, introduced the following bill, which was read the first time:

H. B. No. 332—By Mr. Blake: To authorize the trustees of Mantua township, Portage county, Ohio, to levy a tax for certain purposes therein named.

Mr. Bell presented the petition of Thos. G. Richards and 36 other citizens of Hanoverton, Licking county, asking for the passage of H. B. No. 203.

Which was referred to the committee of the Whole House.

Mr. Beach presented the petition of C. E. Critchfield and 15 other citizens of Knox county, asking for an act authorizing the President and Secretary of the Knox County Agricultural Society to sell and convey certain lands.

Which was referred to the committee on New Counties and County Affairs.

The following bills were read the second time:

S. B. No. 28: To amend section 2 of an act to establish a code of criminal procedure for the State of Ohio, passed May 6, 1869, took effect August 1, 1869.

Referred to the committee on Municipal Corporations.

S. B. No. 33: To amend and repeal certain acts therein named.

Referred to the committee on Judiciary.

S. B. No. 129: To amend sections 1, 2, 5, 6 and 7 of an act entitled an act to reorganize the Institution for the Education of the Blind, and to repeal certain laws heretofore passed, passed and took effect April 6, 1866, and section 2 as amended March 10, 1873.

Referred to the committee on Blind, Deaf and Dumb, and Imbecile Asylums.

H. B. No. 323: To change the time fixed for holding the second term of the court of common pleas for the year 1874 in the county of Shelby.

Referred to the committee on Judiciary.

H. B. No. 324: To authorize the commissioners of Scioto county to levy an additional tax.

Referred to the committee on Finance.

H. B. No. 325: To amend section 1 of the act passed March 9, 1867, entitled an act to amend section 3 of an act to ragulate fees of clerks of the court of common pleas, passed April 13, 1865.

Referred to the committee on Fees and Salaries.

H. B. No. 326: To amend sections 3 and 4 of an act regulating sales at auction, passed March 16, 1840, and took effect March 1, 1841.

Referred to the committee on Judiciary.

H. B. No. No. 327: To prevent county recorders from acting as conveyancers, etc.

Referred to the committee on Judiciary.

Mr. Haag moved that the constitutional rule be dispensed with, and that H. B. No. 328 be read a second time by its title.

Mr. Lewis moved to lay the bill upon the table.

Mr. McCoy demanded a call of the House, and forty-four members answered to their names.

The Sergeant-at-Arms was dispatched for absentees.

Messrs. Morris, Stone and Walker appeared within the bar of the House, and answered to the call.

Mr. Harrison moved that the House do now adjourn.

On which motion the yeas and nays were demanded, ordered, and resulted—yeas 9, nays 34, as follows:

Those who voted in the affirmative were—

Messrs. Carnahan, Chapman of Meigs, Cooley, Harrison, Loomis, Ray, Richmond, Scott and Stone—9.

Those who voted in the negative were—

Messrs. Armstrong of Guernsey, Baker of Fairfield, Baker of Perry, Barnett, Baskin, Beach, Bell, Case, Conklin, Eshelman, Green, Haag, Hardy, Heitmann, Hoagland, Hodge, Kemp, Lewis, Light, Martin, McCoy, McLain, Mesloh, Myers of Fayette, Nelson, Newell, Pattison, Pearson, Ray, Robb, Sheppard, Tryon, Van Meter, Walker and West—34.

So the House refused to adjourn.

Messrs. Kemp, Murlin, Weible, Blake, Norton, White, Howland, Mack, Barrett, Neff, Inman, Myers of Ashland, Cole, Gordon and Coler appeared within the bar of the House and answered to the call.

On motion of Mr. Murlin, all further proceedings under the call were dispensed with.

The motion of Mr. Lewis to lay H. B. No. 328 on the table was then disagreed to.

The quession then recurred on the motion of Mr. Haag to dispense with the constitutional rule, and read the bill by its title.

Which was not agreed to.

H. B. No. 328, to provide for the more economical management and better regulation of certain benevolent and certain reformatory institutions of the State, and to repeal certain acts and parts of acts therein named, was then read the second time, and referred to the committee on Blind, Deaf and Dumb, and Imbecile Asylums.

H. B. No. 329, to relieve sureties of executors and administrators, and to punish them for certain offenses therein named, was read the second time, and referred to the committee on the Judiciary.

On motion of Mr McCoy, the House reconsidered the commitment of S. B. No. 28 to the committee on Municipal Corporations; and, on his motion, it was committed to the committee on the Judiciary.

Mr. McCoy, on leave, submitted the following report:

The committee on Agriculture, to whom was referred S. B. No. 127, having had the same under consideration, report it back, with the following amendments, and recommend its passage:

Insert after the words "discretion of the court," and before the word "all," the words "one-half of," and after the words "school fund" insert the following words: "and the other half to the society causing said arrest."

MILT. MCCOY, H. H. MACK,
J. F. THOMPSON, H. M. CHAPMAN.
ROBERT BARNETT,

The amendments were agreed to.

Said bill was then ordered to be engrossed, and read the third time to-morrow.

Mr. Haag submitted the following report:

The committee on Judiciary, to whom was referred H. B. No. 323, to change the time fixed for holding the second term of the court of common pleas for the year 1874 in the county of Shelby, having had the same under consideration, report it back, and recommend its engrossment and passage.

J. M. HAAG, J. H. HEITMANN,
T. M. ROBB, J. SCOTT,
J. M. PATTISON, W. P. HOWLAND.

On motion of Mr. Green, the constitutional rule was dispensed with, and said bill then read the third time.

The question then being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 63, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Guernsey, Baker of Fairfield, Baker of Perry, Barnett, Barrett, Beach, Bell, Blake, Brunner, Case, Carnahan, Chapman of Meigs, Cole, Coler, Cooley, Conklin, Duncan, Eshelman, Gordon, Green, Haag, Hardy, Harrison, Heitmann, Hill, Hoagland, Hodge, Howland, Inman, Kemp, Lewis, Loomis, Mack, Mann, McCloud, McCoy, McLain, Mesloh, Morris, Murlin, Myers of Ashland, Myers of Fayette, Neff, Nelson, Newell, Norton, Parker, Pearson, Ramsay, Ray, Richmond, Robb, Scott, Sheppard, Stone, Tryon, Van Meter, Walker, West, White, Williams and Speaker—63.

So the bill passed. The title was agreed to.

H. B. No. 309, to amend an act entitled an act supplementary to an act entitled an act to provide for the organization and government of municipal corporations, passed May 7, 1869, passed April 28, 1873, was read the second time.

Said bill was then ordered to be engrossed, and read the third time to-morrow.

On motion of Mr. Haag, the third reading of House Bills Nos. 195, 205 and 264 was postponed until Wednesday next.

On motion of Mr. Hardy, H. B. No. 169 was taken from the table.

The amendments offered to said bill by the committee were then agreed to.

Mr. Hardy then offered the following amendment:

In section 1 strike out all of lines 2, 3 and 4, and the words "Sec. 32," in line 5.

Which was agreed to.

Said bill was then ordered to be engrossed, and read the third time Wednesday next.

Mr. Brunner, on leave, offered for adoption the following resolution:

H. R. No. 41: *Resolved*, That the Constitutional Convention be requested by the General Assembly of the State to publish, in the appendix to the report of the debates of said Convention, the report of the joint committee of the Senate and House of Representatives upon the statement of Dr. Hill, committee on supplies for that body, implicating the integrity of Capt. Wikoff, Secretary of State.

The question being on the adoption of the resolution, the yeas and nays were demanded, ordered, and resulted—yeas 53, nays 6, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Guernsey, Barnett, Barrett, Baskin, Bell, Blake, Brunner, Case, Carnahan, Chapman of Meigs, Cole, Coler, Cooley, Conklin, Duncan, Gordon, Haag, Harrison, Heitmann, Hill, Hodge, Howland, Kemp, Lewis, Light, Loomis, Mack, Mann, Martin, McCoy, McLain, Mesloh, Moorehead, Morris, Myers of Fayette, Neff, Norton, Pattison, Pearson, Ramsay, Ray, Richards, Richmond, Robb, Scott, Stone, Tryon, Van Meter, Walker, West, White, Williams and Speaker—53.

Those who voted in the negative were—

Messrs. Baker of Fairfield, Baker of Perry, Beach, Parker, Sheppard and Weible—6.

So the resolution was agreed to.

Mr. Blake submitted the following report:

The committee on Revision have examined, and found correctly engrossed, House Bills Nos. 308 and 298.

ORVIL BLAKE,
JON. MORRIS,
E. B. PARKER.

H. B. No. 297: To authorize the commissioners to receive donations and make appropriations for a purpose therein named, was read the third time.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 60, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Guernsey, Baker of Fairfield, Baker of Perry, Barnett, Barrett, Baskin, Beach, Bell, Blake, Case, Carnahan, Chapman of Meigs, Cole, Coler, Cooley, Conklin, Duncan, Eshelman, Gordon, Green, Haag, Hardy, Harrison, Heitmann, Hill, Hodge, Howland, Inman, Kemp, Lewis, Light, Mack, Mann, Martin, McCloud, McCoy, Mesloh, Moorehead, Morris, Myers of Ashland, Myers of Fayette, Neff, Nelson, Norton, Parker, Pattison, Pearson, Ramsay, Richmond, Robb, Scott, Sheppard, Stone, Tryon, Van Meter, Walker, Weble, West, White and Williams—60.

So the bill passed.

On motion of Mr. Case, the title was amended by adding after "commissioners" the words "of Hocking county."

The title, as amended, was then agreed to.

Mr. Pattison submitted the following report:

The joint committee on Enrollment have examined, and found correctly enrolled, the following bills:

H. B. No. 168: Authorizing the commissioners of Hamilton county to build a new bridge and approaches on the present Union bridge site.

H. B. No. 63: To amend section 3 of an act entitled an act to prevent collisions on railroads within the State of Ohio, passed March 24, 1860.

J. M. PATTISON, J. C. FISHER,
O. B. CHAPMAN, S. KNOX,
HENRY HARDY, A. M. BURNS.
E. B. PARKER,

The Speaker, in the presence of the House, signed said bills.

Mr. McCloud, on leave, submitted the following report:

The select committee of one to whom was referred H. B. No. 300, to authorize the Madison County Agricultural Society to sell and convey certain lands, having had the same under consideration, report it back, with the following substitute, and recommend that it be engrossed and passed.

R. C. MCCLOUD.

Substitute for H. B. No. 300: To authorize the Madison County Agricultural Society to sell and convey certain lands.

Section 1. *Be it enacted by the General Assembly of the State of Ohio*, That the Madison County Agricultural Society be and they are hereby authorized to sell and convey the grounds owned and controlled by said society, in such manner and upon such terms as a majority of the stockholders may determine, and convey said grounds to the purchaser or purchasers thereof by deed duly executed and acknowledged by the president and secretary of said society, as provided by law.

Sec. 2. The proceeds of said sale to be invested in the purchase or leasing of grounds sufficient to accommodate the demands of said society.

Sec. 3. This act shall be in force from and after its passage.

The substitute was agreed to, and said bill ordered to be engrossed, and read the third time to-morrow.

On motion of Mr. Chapman of Meigs, H. B. No. 308, to create two election precincts in Scipio township, Meigs county, was read the third time.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 55, nays 5, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Guernsey, Baker of Fairfield, Baker of Perry, Barnett, Barrett, Blake, Case, Carnahan, Chapman of Meigs, Cole, Coler, Cooley, Conklin, Duncan, Eshelman, Gordon, Harrison, Hill, Hodge, Howland, Kemp, Lewis, Loomis, Mack, Mann, Martin, McCoy, McLain, Moorehead, Morris, Myers of Ashland, Myers of Fayette, Neff, Norton, Pattison, Pearson, Poe, Ramsay, Richmond, Robb, Stone, Tryon, Van Meter, Walker and Williams—55.

Messrs. Heitmann, Hoagland, Inman, Sheppard and Weible voted in the negative.

So the bill passed. The title was agreed to.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has passed the following bill, in which the concurrence of the House of Representatives is requested:

S. B. No. 53—By Mr. Burton: To amend section 394 of the municipal code, passed May 7, 1869.

Attest: S. K. DONAVIN, *Clerk.*

Said bill was read the first time.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has concurred in the passage of H. B. No. 217, to amend section 141 of an act entitled an act to provide for the organization and government of municipal corporations, passed May 7, 1869, after amending the same as follows:

Add at the beginning of section 2 the following: "Said original section 141 be and the same is hereby repealed, and."

In which the concurrence of the House of Representatives is requested.

Attest: S. K. DONAVIN, *Clerk.*

The question being on agreeing to the Senate amendment to said bill, the yeas and nays were ordered, and resulted—yeas 54, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Guernsey, Barnett, Barrett, Baskin, Beach, Bell, Blake, Case, Carnahan, Chapman of Meigs, Cole, Coler, Cooley, Conklin, Duncan, Eshelman, Gordon, Green, Haag, Hardy, Harrison, Heitmann, Hoagland, Hodge, Howland, Inman, Kemp, Lewis, Light, Loomis, Mack, Mann, Martin, McCoy, McLain, Moorehead, Myers of Ashland, Myers of Fayette, Neff, Pearson, Ramsay, Ray, Richmond, Robb, Scott, Sheppard, Stone, Van Meter, Walker, Weible, West, White, Williams and Speaker—54.

So the amendment was agreed to.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has refused to concur in House amendments to S. B. No. 71, to amend the act entitled an act to establish an agricultural and mechanical college in Ohio, passed March 22, 1870.

Attest: S. K. DONAVIN, *Clerk.*

Mr. McCoy moved that the House recede from its amendments to said bill.

Mr. Scott demanded a division of the question.

The question then being on receding from the amendment to section 1, the yeas and nays were ordered, and resulted—yeas 30, nays 23, as follows:

Those who voted in the affirmative were—

Messrs. Barrett, Baskin, Beach, Brunner, Case, Chapman of Meigs, Cole, Cooley, Conklin, Eshelman, Gordon, Green, Haag, Hardy, Heitmann, Hoagland, Inman, Kemp, Lewis, McCoy, Myers of Ashland, Myers of Fayette, Norton, Pearson, Richmond, Robb, Sheppard, Van Meter, Weible and West—30.

Those who voted in the negative were—

Messrs. Armstrong of Guernsey, Barnett, Bell, Blake, Carnahan, Coler, Duncan, Harrison, Hodge, Light, Loomis, Mack, Mann, Martin, McLain, Moorehead, Ramsay, Ray, Scott, Stone, Tryon, White and Williams—23.

So the House refused to recede.

The question then being on receding from the amendment offered to section 2, the yeas and nays were ordered, and resulted—yeas 22, nays 33, as follows:

Those who voted in the affirmative were—

Messrs. Baker of Perry, Barrett, Baskin, Beach, Bell, Carnahan, Cole, Cooley, Eshelman, Hardy, Inman, Lewis, McCoy, Neff, Parker, Pearson, Ray, Richmond, Robb, Weible, West and White—22.

Those who voted in the negative were—

Messrs. Armstrong of Guernsey, Blake, Brunner, Case, Coler, Conklin, Duncan, Gordon, Haag, Harrison, Heitman, Hill, Hoagland, Hodge, Howland, Kemp, Light, Loomis, Mack, Mann, Martin, McLain, Morris, Myers of Ashland, Myers of Fayette, Ramsay, Scott, Sheppard, Stone, Tryon, Van Meter, Walker and Williams—33.

So the House refused to recede.

On motion of Mr. Scott, the House insisted on its amendments, and asked a committee of conference.

The Speaker appointed as said committee on the part of the House Messrs. White, Bell and Williams.

On motion of Mr. Gordon, H. B. No. 267, to authorize the trustees of Spencer township, Hamilton county, to sell the township hall, was read the third time.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 59, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Guernsey, Baker of Fairfield, Baker of Perry, Barnett, Barrett, Baskin, Beach, Bell, Blake, Brunner, Case, Carnahan, Chapman of Meigs, Cole, Coler, Cooley, Conklin, Duncan, Eshelman, Gordon, Green, Haag, Harrison, Heitmann, Hill, Hoagland, Hodge, Howland, Inman, Kemp, Lewis, Light, Loomis, Mack, Mann, Martin, McCoy, McLain, Moorehead, Myers of Ashland, Neff, Norton, Parker, Pattison,

Pearson, Ramsay, Ray, Richmond, Robb, Scott, Sheppard, Stone, Tryon, Van Meter, Walker, Weible, West, White and Williams—59.

So the bill passed. The title was agreed to.

Mr. Scott, on leave, offered the following resolution, which was adopted:

H. R. No. 93: *Resolved*, That the Auditor of State be requested to report to this House at the earliest possible day whether, in his opinion, the existing levies for the general revenue and asylum funds can be reduced without danger of creating a deficiency in said funds after meeting all legitimate demands on the same.

Mr. Neff, on leave, submitted the following report:

The committee on Roads and Highways, to whom was referred H. B. No. 144, with the pending Senate amendments, having had the same under consideration, report it back, and recommend that the Senate amendments be not agreed to.

B. NEFF, LEBBEUS COLE,
E. A. STONE, W. H. CONKRIGHT,
ROBERT BARNETT, J. A. MOOREHEAD.

The question being on agreeing to the Senate amendments, the yeas and nays were demanded, ordered, and resulted—yeas 2, nays 45, as follows:

Messrs. Eshelman and Hardy voted in the affirmative.

Those who voted in the negative were—

Messrs. Armstrong of Guernsey, Baker of Fairfield, Baker of Perry, Barnett, Barrett, Baskin, Beach, Bell, Blake, Brunner, Case, Carnahan, Cole, Coler, Cooley, Conklin, Duncan, Haag, Harrison, Heitmann, Hill, Hoagland, Hodge, Inman, Loomis, Mack, Mann, Martin, McLain, Moorehead, Myers of Fayette, Neff, Norton, Pattison, Ramsay, Ray, Robb, Scott, Stone, Tryon, Van Meter, Walker, Weible, West and Williams—45.

So the House refused to agree to said amendments.

On motion of Mr. Neff, a committee of conference was asked of the Senate.

Messrs. Hill, Weible and Neff were appointed said committee on the part of the House.

On motion of Mr. Haag, the House adjourned.

Attest: THOMAS COUGHLIN, *Clerk*.

TUESDAY, MARCH 31, 1874—10 o'clock A.M.

The House met pursuant to adjournment.

Prayer by Rev. R. R. McNulty.

The Journal was read and approved.

Mr. Pattison submitted the following report:

The joint committee on Enrollment have examined, and found correctly enrolled, the following bills:

S. B. No. 102: To organize a board of commissioners for the construction of the Central Lunatic Asylum.

S. B. No. 85: To amend sections 52 and 53 of an act entitled an act to provide for the uniform government and better regulation of the lunatic asylums of the State, and the care of idiots and the insane, passed and took effect April 7, 1856.

J. C. FISHER, B. NEFF,
A. M. BURNS. H. M. CHAPMAN,
S. KNOX, E. B. PARKER,
L. A. BRUNNER, J. M. PATTISON.
HENRY HARDY,

The Speaker, in the presence of the House, signed said bills.

Mr. Oren presented the petition of David S. Moore and 72 other citizens of Clinton county, asking the passage of H. B. No. 203, to authorize the appointment of commissioners to compile a series of text-books for use in our common schools, etc.

Which was referred to the committee of the Whole House.

Mr. McCloud presented the petition of William Curtain and 90 other citizens of Madison county, praying for the passage of H. B. No. 300.

Which was read and laid upon the table.

Mr. Barrett presented the remonstrance of Sue Reed and 261 other citizens of Yellow Springs, Greene county, against any modification of the Adair liquor law.

Which was referred to the committee on Temperance.

Mr. West presented the petition of the town council of Milford, Clermont county, asking for the passage of an act to incorporate the town of Milford.

Which was referred to the committee on Municipal Corporations.

Mr. Sherrick presented the petition of T. H. Whitacre and 40 other citizens of Magnolia, Stark county, for an act of incorporation.

Which was referred to the committee on Municipal Corporations.

Mr. Tryon presented the memorial of Jesse Baldwin, of Mahoning county, asking for the payment, in gold or silver coin, of such bonds of the State of Ohio as were given for the funds borrowed, and for the payment of which bonds only gold or silver coin was the legal tender at the date of the issue of such bonds.

Which was laid on the table and ordered to be printed.

Mr. Howland presented the petition of N. E. Trumbull and 52 other citizens of Harpersfield township, Ashtabula county, asking for the passage of a law authorizing the trustees of said township to sell land purchased for a cemetery in March, 1872, and reinvest in other lands for the same purpose.

Which was referred to the committee on Corporations other than Municipal.

The following bills were read the second time:

S. B. No. 53: To amend section 394 of the municipal code, passed May 7, 1869.

Referred to the committee on the Judiciary.

H. B. No. 330: To amend section 199 of an act entitled an act to provide for the organization and government of municipal corporations, passed May 7, 1869, as amended April 18, 1870.

Referred to the committee on Municipal Corporations.

Mr. McKinley submitted the following report:

The committee on Revision have examined, and found correctly engrossed, S. B. No. 127, and House Bills Nos. 317, 307 and 300.

WM. M. MCKINLEY, ORVIL BLAKE,
GEO. W. BOYCE, E. B. PARKER.

On motion of Mr. Geghan, H. B. No. 233 was laid on the table.

S. B. No. 9, to amend section 313 of the code of civil procedure, as amended May 2, A.D. 1871, was read the third time.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 76, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Baker of Coshocton, Baker of Fairfield, Barnett, Baskin, Beach, Bell, Blake, Boyce, Brooke, Brunner, Case, Chapman of Cuyahoga, Chapman of Meigs, Cole, Coler, Cooley, Conklin, Conkright, Duncan,

Eshelman, Faxon, Geghan, Green, Grosvenor, Hardy, Hatfield, Haven, Heitmann, Hill, Hoagland, Hodge, Holloway, Howland, Huston, Inman, Lewis, Loomis, Mack, Mann, Martin, McKinley, McLain, Mesloh, Moorehead, Munson, Murlin, Myers of Ashland, Myers of Fayette, Neff, Nelson, Newell, Newton, Norton, Oren, Parker, Pattison, Pearson, Poe, Ramsay, Ray, Richmond, Robb, Sater, Scott, Sheppard, Sherrick, Stone, Thompson of Lucas, Thompson of Montgomery, Tryon, Van Meter, Vincent, Weible, West and White—76.

So the bill passed. The title was agreed to.

S. B. No. 47, supplementary to an act entitled an act to exempt specific articles of personal property from execution, passed April 16, 1873, was read the third time.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 55, nays 19, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Guernsey, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Barrett, Baskin, Brooke, Brunner, Case, Chapman of Cuyahoga, Chapman of Meigs, Cole, Coler, Cooley, Conklin, Conkright, Duncan, Eshelman, Faxon, Geghan, Hardy, Harrison, Hatfield, Haven, Hoagland, Hodge, Holloway, Howland, Inman, Lewis, Loomis, Mack, McKinley, McLain, Moorehead, Munson, Myers of Fayette, Neff, Newton, Oren, Pattison, Poe, Ramsay, Ray, Robb, Scott, Sheppard, Sherrick, Stone, Thompson of Lucas, Tryon, Van Meter, Vincent and Williams—55.

Those who voted in the negative were—

Messrs. Archer, Beach, Bell, Blake, Grosvenor, Heitmann, Hill, Huston, Mann, McCloud, Mesloh, Nelson, Newell, Parker, Pearson, Sater, Thompson of Montgomery, Weible and White—19.

So the bill passed. The title was agreed to.

S. B. No. 30, for the prosecution and punishment of certain offenses therein named, was read the third time.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 65, nays 8, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Guernsey, Baker of Coshocton, Baker of Fairfield, Barnett, Baskin, Beach, Bell, Blake, Boyce, Brunner, Chapman of Cuyahoga, Chapman of Meigs, Cole, Coler, Cooley, Conklin, Conkright, Duncan, Eshelman, Faxon, Geghan, Grosvenor, Hardy, Harrison, Hatfield, Haven, Heitmann, Hill, Hodge, Holloway, Howland, Huston, Inman, Lewis, Loomis, Mack, McCoy, McKinley, McLain, Mesloh, Moorehead, Morris, Murlin, Myers of Fayette, Newell, Newton, Parker, Pattison, Pearson, Poe, Ramsay, Robb, Sater, Scott, Sheppard, Stone, Thompson of Montgomery, Tryon, Van Meter, Vincent, West, White and Williams—65.

Those who voted in the negative were—

Messrs. Case, Haag, Hoagland, McCloud, Neff, Ray, Sherrick, and Thompson of Lucas—8.

So the bill passed. The title was agreed to.

S. B. No. 108, to amend sections 26 and 161 of an act entitled an act to provide for the settlement of the estates of deceased persons, passed March 23, 1840, was read the third time.

Mr. Barrett moved to refer the bill to a select committee of one, with instructions to amend as follows:

In section 161, line fourteen, strike out after the word "executor" the word "or," and insert after the word "administrator," "or assignee."

Which was disagreed to.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 68, nays 1, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Barrett, Baskin, Beach, Bell, Blake, Boyce, Brooke, Brunner, Case, Chapman of Cuyahoga, Chapman of Meigs, Cole, Coler, Conklin, Conkright, Duncan, Eshelman, Faxon, Geghan, Green, Grosvenor, Haag, Hardy, Harrison, Haven, Heitmann, Hill, Hodge, Howland, Huston, Inman, Light, Loomis, Mack, McCloud, McLain, Mesloh, Moorehead, Morris, Munson, Murlin, Myers of Fayette, Neff, Nelson, Newell, Newton, Oren, Parker, Pattison, Ramsay, Ray, Robb, Sater, Sheppard, Stone, Thompson of Lucas, Thompson of Montgomery, Tryon, Van Meter, Vincent, Weible, West, White and Williams—68.

Mr. Richmond voted in the negative.

So the bill passed. The title was agreed to.

On motions of Messrs. Conklin and Archer, House Bills Nos. 278 and 202 were postponed for third reading until to-morrow.

H. B. No. 130, to amend section 10 of an act entitled an act for the maintenance and support of illegitimate children, and to repeal said section so amended, passed April 3, 1873, was read the third time.

Mr. Morris moved to recommit said bill to a select committee of one, with instructions to amend as follows:

Add after the word "debt," section 10, line sixteen, the following: "and provided further, that before such putative father shall receive and be entitled to the benefits of such prison rules for the relief of insolvent debtors, he shall give at least three days' notice to complainant or complainants, her or their attorney, of his intention so to apply for the benefit of said insolvent act."

Which was agreed to, and Mr. Morris appointed said committee.

H. B. No. 250, to provide for the repair of free turnpike roads, was read the third time.

Mr. West moved to recommit the bill to a select committee of one, with instructions to amend as follows:

Add after the word "repair," in line forty six of section 1, the following: "stating the amount necessary to keep up such turnpikes in each township separately."

Also, strike out the words "the county such sum," in line three, section 2, and insert in place thereof "each township the sum certified necessary for such township."

Which was disagreed to.

The question then being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 23, nays 32, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Baker of Coshocton, Baker of Perry, Brunner, Chapman of Cuyahoga, Conkright, Faxon, Green, Hardy, Haven, Holloway, Inman, Lewis, Loomis, Mann, Martin, McCloud, McCoy, McKinley, Munson, Murlin, Weible and Williams—23.

Those who voted in the negative were—

Messrs. Armstrong of Guernsey, Barnett, Beach, Bell, Chapman of Meigs, Cole, Coler, Conklin, Geghan, Gowey, Harrison, Heitmann, Hill, Huston, Mack, Mesloh, Miller, Moorehead, Morris, Myers of Fayette, Newell, Newton, Ramsay, Richmond, Robb, Sater, Scott, Sheppard, Thompson of Lucas, Thompson of Montgomery, Vincent and West—32.

So the bill failed to pass.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has acceded to the request of the House of Representatives for a committee of conference on House amendments to S. B. No. 71, to amend the act entitled an act to establish and maintain an agricultural and mechanical college in Ohio, passed March 22, 1870.

The President has appointed Messrs. Potter, Seitz and Knox such committee on the part of the Senate.

Attest: S. K. DONAVIN, *Clerk.*

The Speaker laid before the House a communication from the Auditor of State in answer to H. R. No. 93.

Mr. Eshelman moved to refer said communication to the committee on Finance.

Mr. Scott moved that the communication be laid on the table and ordered printed.

The motion to refer having preference, was first put.

On which motion the yeas and nays were demanded, ordered, and resulted—yeas 41, nays 27, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Baskin, Beach, Bell, Boyce, Brooke, Brunner, Case, Cole, Conklin, Eshelman, Green, Heitmann, Hill, Huston, Inman, Lewis, Light, McCloud, McCoy, McKinley, Mesloh, Moorehead, Murlin, Myers of Ashland, Nelson, Newell, Norton, Parker, Pattison, Pearson, Poe, Robb, Sater, Thompson of Lucas, Weible and White—41.

Those who voted in the negative were—

Messrs. Armstrong of Guernsey, Barrett, Chapman of Cuyahoga, Chapman of Meigs, Conkright, Faxon, Gowey, Harrison, Haven, Holloway, Howland, Loomis, Mack, Mann, Myers of Fayette, Neff, Newton, Oren, Ramsay, Ray, Richmond, Scott, Stone, Thompson of Montgomery, Tryon, Vincent and Williams—27.

So the motion was agreed to; and the communication was referred to the committee on Finance.

On motion of Mr. Oren, the House took a recess.

HALF-PAST TWO O'CLOCK P.M.

H. B. No. 215, to authorize county commissioners to levy a tax to keep in repair free turnpike roads, was read the third time.

The question then being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 45, nays 15, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Guernsey, Baker of Coshocton, Baker of Perry, Barrett, Beach, Blake, Brooke, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Cole, Cooley, Conkright, Duncan, Faxon, Geghan, Gordon, Green, Haag, Harrison, Hatfield, Haven, Hodge, Holloway, Howland, Inman, Loomis, McCloud, McCoy, McKinley, McLain, Mesloh, Miller, Myers of Fayette, Nelson, Newton, Norton, Oren, Pearson, Poe, Ramsay, Richmond, Thompson of Lucas, Weible and Williams—45.

Those who voted in the negative were—

Messrs. Archer, Barnett, Bell, Boyce, Coler, Hill, Huston, Mack, Moorehead, Parker, Robb, Scott, Sheppard, West and White—15.

So the bill, not having received a constitutional majority, was lost.

H. B. No. 261, to create a joint sub district for school purposes in the

township of Miami, Logan county, Adams township, Champaign county, and Perry township, Shelby county, Ohio, was read the third time.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 67, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Barrett, Baskin, Beach, Beatty, Bell, Blake, Boyce, Brooke, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Cole, Coler, Conklin, Conkright, Duncan, Eshelman, Faxon, Geghan, Gordon, Green, Hardy, Harrison, Hatfield, Haven, Heitmann, Hill, Hodge, Holloway, Howland, Huston, Inman, Lewis, Loomis, Mack, McCoy, McKinley, Mesloh, Miller, Moorehead, Morris, Myers of Ashland, Neff, Nelson, Newton, Norton, Oren, Parker, Pattison, Pearson, Poe, Ramsay, Richmond, Robb, Scott, Sheppard, Stone, Thompson of Montgomery, Vincent, Weible, West, White and Williams—67.

So the bill passed. The title was agreed to.

Mr Eshelman, on leave, offered the following resolution, which was adopted:

H. R. No. 94: *Resolved*, That the Auditor of State is hereby respectfully requested, as soon as practicable, to inform this House why, if the following estimated receipts, to be found on page 29 of his last annual report, shall be realized—for Revenue Fund, $989,509; for Asylum Fund, $1,927,950.82; for Sinking Fund, $1,300,008.04; and the appropriations for the fiscal year 1874 and the first quarter of the fiscal year 1875, including deficiencies, shall not exceed—for General Revenue, $700,000; for Asylum Fund, $1,411,115; for Sinking Fund, $1,089,717.55, is it not practicable to reduce the State levy for this year so as to produce—for General Revenue, $783,637; for Asylum Fund, $1,580,550; for Sinking Fund, $1,253.834?

H. B. No. 262, to amend section 335 of an act entitled an act to provide for the organization and government of municipal corporations, passed April 9, 1869, as amended April 18, 1870, was read the third time.

Mr. Miller moved to recommit said bill to a select committee of one, with instructions to amend as follows:

In line 18, section 1, strike out the words "and one for three years."

Which was agreed to, and Mr. Miller appointed said committee.

H. B. No. 55, fixing the salaries of the several county officers therein named, was read the third time.

Mr. Thompson of Lucas moved to postpone the further consideration of said bill until the first Tuesday of January next.

On which motion the yeas and nays were demanded, ordered, and resulted—yeas 31, nays 44, as follows:

Those who voted in the affirmative were—

Messrs. Barnett, Barrett, Beach, Bell, Case, Chapman of Cuyahoga, Chapman of Meigs, Cole, Cooley, Duncan, Geghan, Grosvenor, Haag, Hardy, Harrison, Hatfield, Hodge, Holloway, Huston, Inman, Mann, McCloud, McLain, Morris, Murlin, Newton, Ray, Richmond, Robb, Thompson of Lucas, and Van Meter—31.

Those who voted in the negative were—

Messrs. Armstrong of Guernsey, Baskin, Blake, Brooke, Carnahan, Coler, Conklin, Conkright, Eshelman, Gowey, Green, Haven, Heitmann, Hoagland, Howland, Light, Loomis, Mack, Martin, McCoy, McKinley, Mesloh, Miller, Moorehead, Munson, Myers of Ashland, Myers of Fayette, Neff, Nelson, Newell, Oren, Parker, Pattison, Poe, Ramsay, Scott, Shep-

pard, Stone, Thompson of Montgomery, Tryon, Vincent, Weible, West and White—44.

So the motion was disagreed to.

Mr. Thompson of Lucas then moved to recommit the bill to a select committee of one, with instructions to amend as follows:

At the end of line 19 add, "all counties having a population of 46,783 are exempt from the provision of this bill."

Which was disagreed to.

Mr. Oren moved that the further consideration of the bill be postponed until to-morrow.

Mr. Thompson of Lucas moved to amend the motion by postponing until Tuesday next.

Which was disagreed to.

The motion to postpone until to-morrow was then disagreed to.

On motion of Mr. Poe, H. B. No. 6 was laid on the table.

Mr. Hatfield submitted the following report:

The committee on Deaf and Dumb, Blind, and Imbecile Asylums, to whom was referred H. B. No. 219, to authorize the purchase of additional lands for the use of the Blind Asylum, having had the same under consideration, report it back without recommendation.

E. W. Miller, O. Case,
N. Hatfield, J. H. Mesloh.

Said bill was then ordered to be engrossed, and read the third time to-morrow.

Mr. Holloway submitted the following report:

The committee on Insurance, to whom was referred S. B. No. 39, having had the same under consideration, report it back, and recommend its passage.

C. C. Archer, E. Martin,
Wm. Bell, Jr., E. S. Holloway.
J. H. Heitmann,

Said bill was ordered to be engrossed, and read the thid time to-morrow.

Mr. Heitmann submitted the following report:

The committee on Insurance, to whom was referred H. B. No. 159, to amend section 14 of an act amendatory of and supplementary to an act entitled an act to provide for establishing an insurance department in the State of Ohio, passed April 26, 1873, having had the same under consideration, report it back, with the following amendments, and recommend its passage:

Insert in section 1, line five, after the word "and," the word "of."

Strike out the word "fire," in line 7 of the same section, and insert the word "life."

J. H. Heitmann, C. H. Grosvenor,
C. C. Archer, E. Martin,
E. S. Holloway, Wm. Bell, Jr.

The amendments were agreed to.

Said bill was then ordered to be engrossed, and read the third time to-morrow.

Mr. Miller submitted the following report:

The select committee of one to whom was referred H. B. No. 262, reports the same back to the House, amended as instructed.

E. W. Miller.

Said bill was then ordered to be re-engrossed, and placed on the calendar for to-morrow.

Mr. Morris submitted the following report:

The select committee of one to whom was referred H. B. No. 130, reports it back, amended as instructed.

JON. MORRIS.

Said bill was then ordered to be engrossed, and placed on the calendar for to-morrow.

Mr. Richmond moved that the House do now adjourn.

Which was disagreed to.

H. B. No. 263, supplementary to an act entitled an act for the relief of the poor, etc., passed April 26, 1872, was read the third time.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 39, nays 34, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Baker of Coshocton, Beach, Blake, Brooke, Chapman of Cuyahoga, Cole, Coler, Cooley, Conkright, Duncan, Eshelman, Faxon, Ford, Grosvenor, Haven, Hodge, Holloway, Inman, Lewis, Light, Loomis, Mack, Mann, McKinley, McLain, Mesloh, Munson, Myers of Fayette, Nelson, Newton, Norton, Pattison, Ramsay, Thompson of Montgomery, Tryon, Van Meter, Weible and Williams—39.

Those who voted in the negative were—

Messrs. Armstrong of Guernsey, Baker of Fairfield, Baker of Perry, Barnett, Barrett, Baskin, Bell, Brunner, Carnahan, Conklin, Geghan, Gordon, Green, Hardy, Harrison, Heitmann, Hill, Hoagland, Howland, Huston, Martin, Miller, Moorehead, Murlin, Myers of Ashland, Newell, Pearson, Richmond, Robb, Sater, Scott, Stone, Vincent and White—34.

So the bill, not having received a constitutional majority, was lost.

Leave of absence for an indefinite time, on account of sickness, was granted Mr. Kemp.

On motion of Mr. Norton, the House took a recess until 10 o'clock A.M. to-morrow.

WEDNESDAY, APRIL 1, 1874—10 o'clock A.M.

The House met pursuant to recess.

Prayer by Rev. R. R. McNulty.

H. B. No. 242, to amend section 7 of an act entitled an act to require mortgages or bills of sale of personal property to be deposited with the township clerks, passed February 24, 1846, was read the third time.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 69, nays 1, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Guernsey, Baker of Fairfield, Baker of Perry, Barnett, Barrett, Baskin, Bay, Beatty, Blake, Brooke, Brunner, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Cole, Conklin, Conkright, Duncan, Eshelman, Grosvenor, Hardy, Harrison, Haven, Heitmann, Hill, Hoagland, Hodge, Holloway, Huston, Inman, Johnson, Light, Loomis, Mack, Mann, Martin, McKinley, McLain, Mesloh, Miller, Moorehead, Morris, Murlin, Neff, Newton, Norton, Oren, Parker, Pattison, Ramsay, Ray, Richmond, Robb, Sater, Sheppard, Sherrick, Stone, Thompson of Lucas, Thompson of Montgomery, Tryon, Van Meter, Varley, Vincent, Walker, Weible, West, White and Williams—69.

Mr. Kemp voted in the negative.

So the bill passed. The title was agreed to.

Mr. Sherrick submitted the following report:

The committee on Revision have examined, and found correctly engrossed, House Bills Nos. 306, 169, 262, 219, 246, 224, 159, 130 and 183.

JOHNSON SHERRICK, WM. M. MCKINLEY,
ORVIL BLAKE, JON. MORRIS.

On motion of Mr. Mack, the third reading of H. B. No. 111 was postponed until to-morrow.

H. B. No. 309, to amend an act entitled an act supplementary to an act entitled an act to provide for the organization and government of municipal corporations, passed May 7, 1869, passed April 28, 1873, was read the third time.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 54, nays 16, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Guernsey, Baker of Coshocton, Beach, Beatty, Bell, Blake, Boyce, Brooke, Brunner, Case, Carnahan, Chapman of Cuyahoga, Cole, Cooley, Duncan, Eshelman, Ford, Geghan, Gowey, Grosvenor, Hardy, Harrison, Heitmann, Hoagland, Hodge, Holloway, Huston, Inman, Johnson, Loomis, Mack, McKinley, McLain, Mesloh, Miller, Morris, Munson, Murlin, Myers of Ashland, Nelson, Newell, Newton, Norton, Pattison, Ray, Robb, Sater, Tryon, Walker, Weible, West, Williams and Speaker—54.

Those who voted in the negative were—

Messrs. Barnett, Baskin, Bay, Conklin, Conkright, Hatfield, Martin, Moorehead, Ramsay, Richmond, Scott, Sheppard, Sherrick, Thompson of Lucas, Thompson of Montgomery, and White—16.

So the bill passed. The title was agreed to.

H. B. No. 298, to authorize county commissioners to repair improved roads in certain cases, was read the third time.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 39, nays 31, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Guernsey, Baker of Perry, Barrett, Bay, Beatty, Blake, Brunner, Chapman of Cuyahoga, Chapman of Meigs, Cooley, Conkright, Duncan, Eshelman, Faxon, Ford, Green, Grosvenor, Hodge, Holloway, Inman, Johnson, Martin, McCloud, McKinley, Morris, Munson, Myers of Fayette, Neff, Nelson, Oren, Pattison, Ray, Richmond, Van Meter, Walker, Watson, Weible and Williams—39.

Those who voted in the negative were—

Messrs. Barnett, Baskin, Beach, Bell, Boyce, Brooke, Case, Carnahan, Cole, Conklin, Harrison, Hill, Hoagland, Huston, Mann, Mesloh, Moorehead, Murlin, Newell, Newton, Ramsay, Robb, Sater, Scott, Sheppard, Sherrick, Thompson of Montgomery, Varley, Vincent, West and White—31.

So the bill, not having received a constitutional majority, was lost.

On motion of Mr. Harrison, the vote by which H. B. No. 263 was lost was reconsidered.

The question then being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 50, nays 28, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Baker of Coshocton, Bay, Beach, Beatty, Bell, Blake, Brooke, Chapman of Cuyahoga, Chapman of Meigs, Cole, Cooley, Conkright, Duncan, Eshelman, Faxon, Ford, Gowey, Grosvenor, Hardy, Hill,

Hodge, Holloway, Huston, Inman, Johnson, Lewis, Light, Loomis, Mack, Mann, McLain, Moorehead, Morris, Munson, Myers of Fayette, Neff, Nelson, Newton, Pattison, Ramsay, Ray, Richmond, Robb, Thompson of Montgomery, Tryon, Van Meter, Varley, Weible and Williams—50.

Those who voted in the negative were—

Messrs. Armstrong of Guernsey, Baker of Fairfield, Baker of Perry, Barnett, Barrett, Baskin, Brunner, Case, Conklin, Geghan, Harrison, Hoagland, Howland, Mesloh, Miller, Murlin, Newell, Parker, Sater, Scott, Sheppard, Sherrick, Stone, Thompson of Lucas, Vincent, Walker, West and White—28.

So the bill, not having received a constitutional majority, was lost.

S. B. No. 127, to amend section 6 of an act entitled an act to prevent cruelty to animals, passed April 4, 1871, was read the third time.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 24, nays 40, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Guernsey, Blake, Boyce, Brooke, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Cole, Cooley, Conklin, Duncan, Faxon, Huston, McCoy, Newell, Pattison, Poe, Ray, Sater, Stone, Thompson of Lucas, Thompson of Montgomery, and Vincent—24.

Those who voted in the negative were—

Messrs. Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Barrett, Bay, Beach, Bell, Brunner, Case, Conkright, Eshelman, Gowey, Green, Harrison, Hill, Hoagland, Hodge, Inman, Johnson, Kemp, Mann, McKinley, Mesloh, Moorehead, Morris, Munson, Murlin, Myers of Fayette, Neff, Newton, Norton, Oren, Richmond, Robb, Scott, Sheppard, Walker, Weible, West and White—40.

So the bill failed to pass.

On motion of Mr. Hodge, the vote by which the bill was lost was reconsidered.

Mr. Grosvenor moved to commit the bill to a select committee of one, with instructions to amend as follows:

Strike out the word "and" in line 8, section 1, and all the balance of the section thereafter.

The motion was agreed to, and Mr. Grosvenor was appointed said committee.

H. B. No. 300, to authorize the president and secretary of the Madison County Agricultural Society to sell and convey certain lands, was read the third time.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 80, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Guernsey, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Barrett, Baskin, Bay, Beach, Bell, Blake, Boyce, Brooke, Brunner, Case, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Cole, Cooley, Conklin, Conkright, Duncan, Eshelman, Faxon, Ford, Geghan, Gowey, Green, Grosvenor, Hardy, Harrison, Hatfield, Heitmann, Hill, Hodge, Holloway, Huston, Inman, Johnson, Kemp, Mack, Mann, Martin, McCloud, McCoy, McKinley, McLain, Mesloh, Miller, Morris, Munson, Murlin, Myers of Ashland, Myers of Fayette, Neff, Nelson, Newell, Newton, Pattison, Pearson, Ramsay, Ray, Richmond, Robb, Sater, Scott, Sheppard, Stone, Thompson of Lucas, Thompson of Montgomery, Tryon, Van Meter, Varley, Vincent, Walker, West, White and Williams—80.

So the bill passed. The title was agreed to.

H. B. No. 307, for the relief of the county treasury of Brown county, Ohio, was read the third time.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 77, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Guernsey, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Barrett, Baskin, Bay, Beach, Bell, Blake, Boyce, Case, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Cole, Cooley, Conkright, Duncan, Eshelman, Faxon, Ford, Geghan, Green, Hardy, Harrison, Hatfield, Heitmann, Hill, Hoagland, Hodge, Holloway, Howland, Huston, Inman, Johnson, Kemp, Loomis, Mack, McCloud, McCoy, McKinley, McLain, Mesloh, Miller, Moorehead, Morris, Munson, Murlin, Myers of Ashland, Myers of Fayette, Neff, Newell, Oren, Pattison, Pearson, Ramsay, Ray, Richmond, Robb, Sater, Scott, Sheppard, Stone, Thompson of Lucas, Thompson of Montgomery, Tryon, Van Meter, Varley, Vincent, Walker, Weible, West, White and Williams—77.

So the bill passed. The title was agreed to.

H. B. No. 317, to authorize the board of education of Huntsville school district, in the incorporated village of Huntsville, in the county of Logan, to borrow money and issue bonds to build a school-house, or addition to the school-house in said village, and to purchase additional territory to school-house lot, was read the third time.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 73, nays 6, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Guernsey, Baker of Coshocton, Baker of Fairfield, Barnett, Barrett, Bay Beach, Beatty, Bell, Blake, Boyce, Brooke, Carnahan, Chapman of Meigs, Cole, Cooley, Conklin, Conkright, Duncan, Eshelman, Faxon, Ford, Geghan, Gordon, Green, Grosvenor, Hardy, Hatfield, Haven, Heitmann, Hill, Hodge, Howland, Huston, Johnson, Kemp, Mann, Martin, McCoy, McKinley, McLain, Mesloh, Miller, Morris, Myers of Ashland, Myers of Fayette, Newell, Norton, Oren, Parker, Pattison, Pearson, Ramsay, Ray, Richmond, Robb, Sater, Scott, Sheppard, Sherrick, Stone, Thompson of Lucas, Thompson of Montgomery, Tryon, Van Meter, Varley, Vincent, Walker, Weible, West, White and Williams—73.

Those who voted in the negative were—

Messrs. Baker of Perry, Case, Harrison, Hoagland, Inman and Moorehead—6.

So the bill passed. The title was agreed to.

H. B. No. 262, to amend section 335 of an act entitled an act to provide for the organization and government of municipal corporations, passed April 9, 1869, as amended April 18, 1870, was read the third time.

Mr. Pattison moved to refer the bill to a select committee of one, with instructions to amend as follows: In section 355, line fifteen, after the word "years," insert "that all contracts or resolutions contemplating the expenditure of money shall be passed by a vote of four-fifths of the members of said board."

Mr. Pattison moved to amend the instructions as follows: In section 335, line seventeen, after the word "act," insert "which shall be held at the first regular municipal election of said cities."

Which was agreed to.

The question then recurred on the motion to recommit to a select committee of one, with instructions, as amended by the House.

On which motion the yeas and nays were demanded, ordered, and resulted—yeas 38, nays 33, as follows:

Those who voted in the affirmative were—

Messrs. Barrett, Baskin, Bay, Beatty, Blake, Boyce, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Conklin, Conkright, Duncan, Faxon, Gowey, Harrison, Holloway, Johnson, Kemp, Loomis, Mack, Mann, Martin, Moorehead, Morris, Munson, Myers of Ashland, Neff, Newton, Pattison, Ramsay, Ray, Scott, Sherrick, Thompson of Lucas, Tryon, Van Meter, Varley and Walker—38.

Those who voted in the negative were—

Messrs. Baker of Fairfield, Beach, Brooke, Brunner, Cole, Cooley, Eshelman, Geghan, Gordon, Green, Grosvenor, Hardy, Hatfield, Haven, Heitmann, Hoagland, Huston, Inman, Light, McCoy, McKinley, Mesloh, Miller, Murlin, Myers of Fayette, Newell, Pearson, Robb, Sater, Thompson of Montgomery, Weible, West and White—33.

So the motion to recommit was agreed to.

Mr. Pattison was appointed said committee.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has acceded to the request of the House of Representatives for a committee of conference on Senate amendments to H. B. No. 144. to amend sections 2 and 4 of an act to amend sections 1, 2, 4, 5, 6 and 11 of an act entitled an act to authorize county commissioners to construct roads on a petition of a majority of the resident land-owners along and adjacent to the line of said road, and to repeal an act therein named, passed March 29, 1868.

The President has appointed Messrs. Lawrence, Sheridan and Yeoman such committee on the part of the Senate.

Attest: S. K. DONAVIN, *Clerk.*

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has concurred in the adoption of H. J. R. No. 41, requesting the Constitutional Convention to print a report of the joint committee on Investigation.

Attest: S. K. DONAVIN, *Clerk.*

MESSAGE FROM THE SENATE.

Mr. Speaker:

The following bills have been introduced in the Senate, and read the first time:

S. B. No. 154—By Mr. Curtiss: To amend section 1 of an act to authorize building associations, passed April 16, and took effect May 1, 1857. (S. & C., p. 344.)

S. B. No. 155—By Mr. Potter: To promote the organization of the board of education for the city of Toledo under the act for the reorganization and maintenance of common schools, passed May 1, 1874.

S. B. No. 156—By Mr. Burns: To change the time for holding the summer term of the court of common pleas for the year 1874 for the county of Richland.

Attest: S. K. DONAVIN, *Clerk.*

On motion of Mr. Blake, the House took a recess.

HALF-PAST TWO O'CLOCK P.M.

Mr. Grosvenor moved that the further consideration of H. B. No. 205 be postponed until the second Wednesday of December next.

Which was agreed to.

On motion of Mr. Grosvenor, H. B. No. 264 was taken from the table, and referred to a select committee of one—Mr. Grosvenor.

H. B. No. 306, to amend section 19 of an act for the relief of the poor, passed April 27, 1872, was read the third time.

Mr. Geghan moved to refer the bill to a select committee of one, with instructions to amend as follows: Section 1, line 22, strike out after the word "clerk," "of their own body."

Which was disagreed to.

The question then being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 84, nays 2, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Guernsey, Baker of Coshocton, Baker of Fairfield, Barrett, Baskin, Bay, Beach, Beatty, Bell, Blake, Boyce, Brunner, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Cole, Cooley, Conklin, Conkright, Duncan, Eshelman, Faxon, Ford, Gowey, Green, Grosvenor, Haag, Hardy, Harrison, Hatfield, Haven, Heitmann, Hill, Hoagland, Hodge, Holloway, Holt, Howland, Huston, Johnson, Kemp, Lewis, Loomis, Mack, Mann, Martin, McCoy, McKinley, McLain, Mesloh, Moorehead, Murlin, Myers of Ashland, Myers of Fayette, Neff, Nelson, Newell, Newton, Norton, Oren, Parker, Pattison, Pearson, Ramsay, Ray, Robb, Sater, Scott, Sherrick, Stone, Thompson of Lucas, Thompson of Montgomery, Tryon, Van Meter, Varley, Vincent, Walker, Weible, West, White and Williams—84.

Messrs. Miller and Sheppard voted in the negative.

So the bill passed. The title was agreed to.

H. B. No. 246, to amend section 439 of an act entitled an act to provide for the organization and government of municipal corporations, passed May 7, 1869, was read the third time.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 72, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Guernsey, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Beach, Beatty, Bell, Blake, Boyce, Brooke, Case, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Cole, Cooley, Conklin, Conkright, Eshelman, Faxon, Ford, Geghan, Gowey, Green, Haag, Hardy, Harrison, Hatfield, Haven, Heitmann, Hill, Hoagland, Hodge, Holloway, Holt, Huston, Inman, Johnson, Kemp, Loomis, Mack, Mann, McCloud, McKinley, McLain, Mesloh, Miller, Moorehead, Myers of Ashland, Nelson, Newell, Newton, Parker, Pattison, Ramsay, Ray, Richmond, Robb, Sater, Sheppard, Stone, Thompson of Lucas, Thompson of Montgomery, Tryon, Varley, Vincent, Walker, Weible, West and Williams—72.

So the bill passed. The title was agreed to.

H. B. No. 224: To amend section 1 of an act to protect the elections of voluntary political associations, and punish frauds therein, passed February 24, 1871, was read the third time.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 65, nays 5, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Baker of Coshocton, Baker of Fairfield, Barnett, Bar-

rett, Bell, Blake, Boyce, Brooke, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Cole, Cooley, Conklin, Eshelman, Faxon, Geghan, Green, Grosvenor, Haag, Hatfield, Haven, Heitmann, Hill, Hoagland, Hodge, Holt, Howland, Huston, Inman, Johnson, Kemp, Loomis, Mack, Mann, McCloud, McKinley, McLain, Mesloh, Miller, Morris, Myers of Ashland, Myers of Fayette, Neff, Nelson, Newell, Newton, Parker, Pattison, Ramsay, Richmond, Robb, Sater, Scott, Sherrick, Thompson of Montgomery, Van Meter, Varley, Walker, Weible, West, White and Williams—65.

Those who voted in the negative were—

Messrs. Beatty, Harrison, Moorehead, Ray and Sheppard—5.

So the bill passed. The title was agreed to.

On motion of Mr. Parker, the vote whereby H. B. No. 215 was lost was reconsidered.

On motion of Mr. Myers of Fayette, said bill was referred to a select committee of one, with instructions to amend as follows: Strike out the words "it shall be the duty of," in line two, section 1, and insert the word "the." Strike out the word "to," in line four, section 1, and insert the word "may."

Mr. Myers of Fayette was appointed as said committee.

H. B. No. 169, to amend an act passed April 15, 1867, entitled an act to provide for the voluntary dissolution of corporations, was read the third time.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 58, nays 2, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Bay, Beach, Bell, Blake, Brooke, Brunner, Chapman of Cuyahoga, Cole, Cooley, Conkright, Duncan, Eshelman, Faxon, Ford, Geghan, Green, Grosvenor, Hardy, Haven, Heitmann, Hill, Hodge, Holloway, Holt, Huston, Inman, Johnson, Kemp, Mann, McCloud, McCoy, McKinley, Mesloh, Miller, Morris, Myers of Ashland, Myers of Fayette, Neff, Nelson, Newell, Oren, Parker, Pattison, Ramsay, Ray, Richmond, Robb, Sater, Sherrick, Thompson of Lucas, Thompson of Montgomery, Weible and West—58.

Messrs. Harrison and Varley voted in the negative.

So the bill passed. The title was agreed to.

Mr. Myers of Fayette, on leave, submitted the following report:

The select committee of one to whom was referred H. B. No. 215, having had the same under consideration, reports it back, amended as instructed.

JOHN L. MYERS.

Mr. Baskin moved to recommit the bill to a select committee of one, with instructions to amend as follows: Strike out the words in section 3 "by the supervisors of roads in the proper road district."

Mr. West moved to amend the instructions as follows: Insert between the words "wherein" and "free," in line two, section 1, the following: "sixty-five miles or more of."

Which was disagreed to.

The motion of Mr. Baskin to recommit to a select committee of one, with instructions, was disagreed to.

The question then being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 53, nays 23, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Guernsey, Baker of Coshocton, Barrett,

Bay, Beach, Blake, Brooke, Carnahan, Chapman of Cuyahoga, Cooley, Conkright, Duncan, Eshelman, Faxon, Ford, Gowey, Green, Haag, Hardy, Harrison, Hatfield, Haven, Hodge, Holt, Howland, Johnson, Lewis, Mack, Mann, Martin, McCloud, McCoy, McKinley, McLain, Mesloh, Morris, Myers of Fayette, Nelson, Newton, Parker, Ramsay, Richmond, Scott, Sherrick, Stone, Thompson of Lucas, Tryon, Varley, Walker, Weible, White and Speaker—53.

Those who voted in the negative were—

Messrs. Baker of Fairfield, Baker of Perry, Barnett, Baskin, Bell, Case, Cole, Heitmann, Hill, Huston, Kemp, Loomis, Moorehead, Munson, Neff, Newell, Robb, Sater, Sheppard, Thompson of Montgomery, Van Meter and West—23.

So the bill passed. The title was agreed to.

On motion of Mr. Conklin, the further consideration of H. B. No. 278 was postponed until the second Tuesday of January, 1875.

H B. No. 202, to amend sections 306, 307, 318 and 325 of an act entitled an act to provide for the organization and government of municipal corporations, passed May 7, 1869, was read the third time.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 54, nays 12, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Guernsey, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Baskin, Bay, Beach, Bell, Boyce, Brooke, Brunner, Case, Carnahan, Cole, Conklin, Conkright, Duncan, Eshelman, Ford, Gowey, Green, Harrison, Hatfield, Haven, Heitmann, Hill, Hoagland, Howland, Huston, Inman, Johnson, Kemp, Loomis, McCoy, McKinley, Mesloh, Miller, Myers of Ashland, Nelson, Parker, Pattison, Ramsay, Robb, Sater, Sherrick, Stone, Thompson of Montgomery, Van Meter, Vincent, Walker, Watson, Weible and West—54.

Those who voted in the negative were—

Messrs. Barnett, Barrett, Beatty, Blake, Chapman of Cuyahoga, Grosvenor, Hodge, Holt, Morris, Thompson of Lucas, Varley and Williams—12.

So the bill passed. The title was agreed to.

Indefinite leave of absence was granted Mr. Coler on account of sickness.

S. B. No. 39, to amend section 8 of an act entitled an act amendatory of and supplementary to an act entitled an act to regulate insurance companies doing an insurance business in the State of Ohio, passed April 27, 1872, passed April 24, 1873, was read the third time.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 70, nays 1, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Guernsey, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Barret, Bay, Beach, Bell, Blake, Boyce, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Cole, Cooley, Conklin, Conkright, Duncan, Eshelman, Faxon, Ford, Geghan, Gowey, Green, Grosvenor, Haag, Harrison, Haven, Heitmann, Hill, Holloway, Inman, Johnson, Kemp, Loomis, Mack, Mann, Martin, McKinley, McLain, Mesloh, Miller, Moorehead, Morris, Munson, Myers of Ashland, Myers of Fayette, Nelson, Newton, Parker, Pattison, Ramsay, Ray, Richmond, Robb, Sater, Scott, Sheppard, Sherrick, Stone, Thompson of Lucas, Thompson of Montgomery, Tryon, Varley, Vincent, Walker, Weible and Williams—70.

Mr. West voted in the negative.

So the bill passed. The title was agreed to.

H. B. No. 219, to authorize the purchase of additional lands for the use of the Blind Asylum, was read the third time.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 23, nays 48, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Guernsey, Blake, Brunner, Chapman of Meigs, Geghan, Grosvenor, Hatfield, Haven, Heitmann, Holt, Loomis, Mack, Mann, Martin, McLain, Myers of Fayette, Newton, Ramsay, Scott, Thompson of Lucas, Thompson of Montgomery, West and Speaker—23.

Those who voted in the negative were—

Messrs. Archer, Baker of Fairfield, Baker of Perry, Barnett, Barrett, Baskin, Bay, Beach, Bell, Boyce, Carnahan, Chapman of Cuyahoga, Cole, Cooley, Conklin, Conkright, Duncan, Eshelman, Ford, Harrison, Hill, Hoagland, Howland, Inman, Johnson, Kemp, McKinley, Mesloh, Moorehead, Myers of Ashland, Newell, Norton, Oren, Pattison, Pearson, Ray, Robb, Sater, Sheppard, Sherrick, Stone, Van Meter, Varley, Vincent, Walker, Watson, Weible and White—48.

So the bill failed to pass.

H. B. No. 159, to amend section 14 of an act amendatory of and supplementary to an act entitled an act to provide for establishing an insurance department in the State of Ohio, passed April 26, 1873, was read the third time.

Mr. Neff moved to recommit the bill to a select committee of one, with instructions to amend as follows:

Strike out in lines thirteen and fourteen of section 1 the words "under all the provisions of this act," and insert the words "under all the provisions of the laws of this State relating to insurance companies."

Add at the end of section 1 the words "and in such case the amount of valuation so certified shall be considered as the legal liability of such company upon its policies and other obligations, under all the provisions of the laws of this State relating to insurance companies."

Which was agreed to; and Mr. Neff was appointed said committee.

H. B. No. 130, to amend section 10 of an act entitled an act for the maintenance and support of illegitimate children, and to repeal said section so amended, passed April 3, 1873, was read the third time.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 51, nays 20, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Guernsey, Baker of Coshocton, Baker of Fairfield, Barnett, Barrett, Beach, Blake, Boyce, Brunner, Carnahan, Chapman of Meigs, Cooley, Conkright, Duncan, Eshelman, Grosvenor, Haven, Hoagland, Holloway, Holt, Inman, Johnson, Kemp, Loomis, Mack, Mann, McKinley, McLain, Morris, Munson, Myers of Fayette, Nelson, Newell, Newton, Oren, Pattison, Ramsay, Ray, Richmond, Sater, Scott, Sherrick, Stone, Thompson of Lucas, Thompson of Montgomery, Van Meter, Varley, Vincent, Watson and White—51.

Those who voted in the negative were—

Messrs. Baskin, Beatty, Bell, Case, Cole, Conklin, Faxon, Haag, Hardy, Heitmann, Hill, Howland, Huston, Mesloh, Miller, Moorehead, Murlin, Sheppard, Weible and West—20.

So the bill, not having received a constitutional majority, was lost.

H. B. No. 195, to amend the act to amend section 3 of an act entitled an act of the jurisdiction and procedure before justices of the peace, and

of the duties of constables in civil courts, passed and took effect March 10, 1860, was read the third time.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 40, nays 24, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Guernsey, Baker of Perry, Beatty, Bell, Boyce, Carnahan, Chapman of Cuyahoga, Cole, Cooley, Duncan, Faxon, Grosvenor, Haag, Haven, Heitmann, Holt, Huston, Johnson, Loomis, Mack, Martin, McLain, Mesloh, Miller, Morris, Munson, Myers of Fayette, Nelson, Newton, Pattison, Ramsay, Richmond, Robb, Sater, Thompson of Lucas, Thompson of Montgomery, Varley, Walker, Weible and West—40.

Those who voted in the negative were—

Messrs. Baker of Fairfield, Barnett, Baskin, Brunner, Conklin, Conkright, Eshelman, Green, Hardy, Harrison, Hatfield, Hoagland, Kemp, Lewis, Moorehead, Murlin, Neff, Newell, Pearson, Ray, Sheppard, Sherrick, Stone and Van Meter—24.

So the bill, not having received a constitutional majority, was lost.

The following bill was introduced, and read the first time:

H. B. No. 333—By Mr. Brunner: To provide for publishing the new Constitution.

On motion of Mr. Brunner, the constitutional rule was dispensed with, and the bill was read the second time by its title, and referred to the committe on Judiciary.

Mr. Richmond moved that the House do now adjourn.

Which was disagreed to.

Mr. Myers of Ashland moved that the House take a recess until 10 o'clock to morrow morning.

Which was disagreed to.

Mr. Beach introduced the following bill:

H. B. No. 334: To authorize the president and secretary of the Knox County Agricultural Society to sell and convey certain lands.

Said bill was read the first time.

On motion of Mr. Beach, the constitutional rule was dispensed with, and said bill read the second time by its title, and referred to the committee on New Counties and County Affairs.

Mr. Hatfield submitted the following report:

The committee on Blind, Deaf and Dumb, and Imbecile Asylums, to whom was referred S. B. No. 129, to amend sections 1, 2, 5, 6 and 7 of an act entitled an act to reorganize the Institution for the Education of the Blind, and to repeal certain laws heretofore passed, passed and took effect April 6, 1866, and section 2, as amended March 10, 1873, having had the same under consideration, report it back, with the following amendments, and recommend its engrossment and passage, viz., strike out all after the enacting clause, and insert the following substitute.

N. Hatfield, R. C. Thompson,
F. R. Loomis, E. W. Miller.
O. B. Chapman,

On motion of Mr. Scott, said bill and amendment were laid on the table, and ordered to be printed in advance of other matter.

Mr. Brunner moved that the House do now take a recess until 10 o'clock A.M. to morrow.

On which motion the yeas and nays were demanded, ordered, and resulted—yeas 38, nays 38, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Baker of Coshocton, Barrett, Beach, Blake, Boyce, Brunner, Case, Carnahan, Duncan, Eshelman, Faxon, Haven, Heitmann, Herron, Hoagland, Hodge, Johnson, Kemp, Lewis, Mack, Martin, Murlin, Myers of Ashland, Neff, Newton, Norton, Ramsay, Richmond, Robb, Scott, Sheppard, Sherrick, Tryon, Van Meter, Varley, Watson and Speaker—38.

Those who voted in the negative were—

Messrs. Armstrong of Guernsey, Baker of Fairfield, Barnett, Baskin, Bay, Beatty, Bell, Chapman of Meigs, Cole, Conklin, Conkright, Green, Hardy, Harrison, Hatfield, Hill, Holt, Howland, Huston, Inman, Loomis, Mann, McKinley, McLain, Moorehead, Morris, Munson, Nelson, Pattison, Pearson, Ray, Stone, Thompson of Lucas, Thompson of Montgomery, Vincent, Walker, West and White—38.

So the motion was disagreed to.

Mr. Richmond moved that the House do now adjourn.

On which motion the yeas and nays were demanded, ordered, and resulted—yeas 36, nays 40, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Guernsey, Baker of Coshocton, Barrett, Bay, Blake, Brunner, Carnahan, Chapman of Meigs, Cole, Conkright, Duncan, Harrison, Heitmann, Herron, Holloway, Holt, Johnson, Loomis, Mann, McKinley, McLain, Morris, Munson, Murlin, Neff, Newton, Oren, Pattison, Ramsay, Ray, Richmond, Thompson of Lucas, Tryon, Vincent, West and White—36.

Those who voted in the negative were—

Messrs. Archer, Baker of Fairfield, Baker of Perry, Barnett, Baskin, Beach, Bell, Boyce, Conklin, Eshelman, Green, Grosvenor, Hardy, Haven, Hill, Hoagland, Hodge, Howland, Inman, Kemp, Lewis, Light, Martin, McCoy, Mesloh, Moorehead, Myers of Ashland, Nelson, Norton, Pearson, Robb, Scott, Sheppard, Sherrick, Thompson of Montgomery, Van Meter, Varley, Walker, Watson and Weible—40.

So the House refused to adjourn.

Mr. Thompson of Lucas demanded a call of the House, and 75 members answered to their names.

The Sergeant-at-Arms was dispatched for absentees.

Mr. McKinley moved that the House do now adjourn.

On which motion the yeas and nays were demanded, ordered, and resulted—yeas 39, nays 41, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Guernsey, Barrett, Beatty, Blake, Brunner, Carnahan, Chapman of Meigs, Cole, Conkright, Duncan, Grosvenor, Harrison, Haven, Heitmann, Herron, Holloway, Holt, Howland, Johnson, Loomis, Mack, Mann, Martin, McLain, Morris, Munson, Murlin, Neff, Nelson, Oren, Ramsay, Ray, Richmond, Stone, Thompson of Lucas, Tryon, Varley, Vincent and West—39.

Those who voted in the negative were—

Messrs. Archer, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Bay, Beach, Bell, Boyce, Conklin, Eshelman, Faxon, Green, Hardy, Hatfield, Hoagland, Huston, Inman, Kemp, Lewis, Light, McCoy, McKinley, Mesloh, Moorehead, Myers of Ashland, Norton, Parker, Pattison, Pearson, Robb, Sater, Scott, Sheppard, Sherrick, Thompson of Montgomery, Van Meter, Walker, Watson, Weible, White and Speaker—41.

So the House refused to adjourn.

On motion of Mr. Archer, further proceedings under the call were dispensed with.

On motion of Mr. Archer, the House took a recess until 10 o'clock A.M. to morrow.

THURSDAY, APRIL 2, 1874—10 o'clock A.M.

The House met pursuant to recess.

Prayer by Rev. R. R. McNulty.

The following bills were introduced, and read the first time:

H. B. No. 335—By Mr. Howland: To authorize the trustees of the township of Harpersfield, Ashtabula county, to sell and convey certain real estate therein named, and purchase other lands with the proceeds.

On motion of Mr. Conklin, the constitutional rule was dispensed with, and the bill was read the second time, and referred to a select committee of one—Mr. Howland.

H. B. No. 336—By Mr. Hardy: To amend an act entitled an act authorizing county commissioners to levy a tax for road purposes in certain cases, passed April 30, 1869.

On motion of Mr. Hardy, the constitutional rule was dispensed with, and the bill read the second time by its title, and referred to the committee on New Counties and County Affairs.

H. B. No. 337—By Mr. Archer: To authorize the commissioners of Hamilton county to make a cut for the purpose of straightening a bend in Mill creek.

H. B. No. 338—By Mr. Tryon: To amend sections 211, 212 and 213 of an act entitled an act to establish a code of criminal procedure for the State of Ohio, passed May 6, 1869.

H. B. No. 339—By Mr. Baker of Coshocton: To amend an act passed and took effect April 5, 1869. (O. L., Vol. 56, p. 175; S. & C., Vol. 2, p. 1438.)

H. B. No. 340—By Mr. Archer: To repeal an act entitled an act to incorporate the Union Bridge Company, passed February 11, 1832.

On motion of Mr. West, the constitutional rule was dispensed with, and the bill read the second time by its title, and referred to the committee on Corporations other than Municipal.

On motion of Mr. Harrison, the vote whereby H. B. No. 250 was lost was reconsidered; and, on motion of Mr. Munson, said bill was laid on the table.

Mr. Weible moved to reconsider the vote by which H. B. No. 130 was lost.

Which was agreed to.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 61, nays 17, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Guernsey, Baker of Coshocton, Barnett, Barrett, Bay, Beach, Bell, Blake, Boyce, Brunner, Carnahan, Cooley, Conkright, Duncan, Eidson, Eshelman, Faxon, Ford, Grosvenor, Harrison, Hatfield, Haven, Herron, Hoagland, Holloway, Holt, Inman, Johnson, Kemp, Lewis, Light, Loomis, Mack, Mann, Martin, McLain, Morris, Munson, Myers of Ashland, Myers of Fayette, Neff, Nelson, Newton, Parker, Pattison, Pearson, Ramsay, Ray, Robb, Sater, Scott, Sherrick, Stone, Thompson of Montgomery, Tryon, Van Meter, Varley, Vincent, Walker and Weible—61.

Those who voted in the negative were—

Messrs. Baskin, Beatty, Case, Cole, Conklin, Geghan, Green, Haag, Hardy, Heitmann, Hill, Howland, Huston, McCoy, Mesloh, Moorehead and West—17.

So the bill passed. The title was agreed to.

Mr. Lewis submitted the following report:

The committee on Medical Colleges and Societies, to whom was referred H. B. No. 304, to amend an act regulating the Commercial Hospital of Cincinnati, passed March 11, 1869, and to repeal certain amendments therto, passed Februry 29, 1864, having had the same under consideration, report it back, with the following amendment, and recommend its passage:

Strike out lines 5, 6 and 7, and insert the following: "Section 4. That the city councils of cities of the first class in which there is or may be a hospital endowed, in whole or in part, by funds received from the State of Ohio, are hereby authorized and required to levy a tax not exceeding one-half of one mill on the grand duplicate on all taxable property in said city in each and every year, the."

ED. C. LEWIS, JAS. H. NORTON,
T. B. WILLIAMS, G. W. LIGHT,
JON. MORRIS, BENJ. MYERS.
J. B. RAY,

The amendment was agreed to.

Said bill was then ordered to be engrossed, and read the third time to-morrow.

Mr. McCloud submitted the following report:

The committee on Ohio Soldiers' and Sailors' Orphans' Home, to whom was referred H. B. No. 320, to regulate the Ohio Soldiers' and Sailors' Orphans' Home, located at Xenia, and to repeal an act entitled an act to establish Ohio Soldiers' and Sailors' Orphans' Home, passed April 14, 1870; also, an act entitled an act to amend section 6 of an act to establish Ohio Soldiers and Sailors' Orphans' Home, passed April 25, 1872, having had the same under consideration, report it back, with the following substitute, and recommend its engrossment and passage:

Substitute for H. B. No. 320: To regulate Ohio Soldiers' and Sailors' Orphans' Home, located at Xenia, and to repeal certain acts therein named.

Section 1. *Be it enacted by the General Assembly of the State of Ohio*, That immediately after the passage of this act, the Governor, with advice and consent of the Senate, shall appoint a board of trustees for the Ohio Soldiers' and Sailors' Orphans' Home, located near Xenia, Ohio. Said board shall consist of three persons, two of whom shall be residents of the county in which such institution is located; one of each board to serve for one year, one to serve for two years, and one to serve for three years, and as their respective terms of service shall expire, their successors shall be appointed for the term of three years in the manner herein provided. In case vacancies shall occur in said board of trustees, the Governor shall have power, as herein provided, to fill such vacancies for the unexpired term thereof, and if the Senate be not in session at the time, he shall submit such appointment to the Senate for its approval at its next session. Before entering upon their respective duties, each of said trustees, physician, superintendent and matron herein provided for, shall take and subscribe an oath or affirmation to support the constitution of the United States and of the State of Ohio, and also faithfully and honestly to dis-

charge all and singular the duties of such trust, and in all things to protect the interests of the State to the best of his or her skill and ability, which oath shall be filed in the office of the Governor. Said trustees shall perform their duties gratuitously, provided they shall have their necessary expenses paid during the time they are actually engaged in the discharge of their official duties, such payment to be made out of the State treasury upon a warrant of the Auditor of State.

Sec. 2. Said board of trustees shall, so soon as convenient, appoint a superintendent for said institution, who shall hold his office for three years, unless sooner removed, and on the nomination of such superintendent, said board may appoint a matron and physician, and such teachers and assistants as they may deem advisable; and said trustees shall fix all salaries not otherwise determined by law, and they shall also prescribe rules and by-laws for the government of the institution.

Sec. 3. It shall be the duty of said board of trustees, monthly, to visit said institution, and they shall examine the institution and accounts of the superintendent, and each shall certify his approval or otherwise on the page with the monthly balances of said superintendent, and also on the duplicate monthly balance-sheets hereinafter provided for. They shall make a record of their proceedings at all meetings in a book to be kept for that purpose by the secretary of the board, and on the fifteenth day of November of each year they shall make a report to the Governor of the condition and wants of the institution, which shall be accompanied by full and accurate reports of the superintendent, in which shall be stated, among other things, the names, wages and time of each employe during the year. The said report of the trustees shall contain a summary statement of all contracts entered into during the year, and the names of all persons interested in such contracts. Special meetings of the board may be held on the call of the president thereof, provided each member shall have at least three days' notice thereof in writing, together with a statement of the object for which the meeting is called. The trustees and their successors in office shall have the power to receive and hold in trust, for the use and benefit of said institution, any grant or devise of land, or any donation or bequest of money or personal property, to be applied to the maintenance and support of any person or persons therein, or to the general use of such institution.

Sec. 4. The superintendent shall keep a full and true account of receipts, and an itemized account of all disbursements, in a proper book, always open to the inspection of the trustees, and shall balance the same on the fifteenth day of each month; and he shall prepare and have ready at the same time, in duplicate, a balance-sheet, showing the amount of money received during the preceding month, and the balance on hand at the commencement thereof, and also a full and itemized account of all expenditures and payments during the same period, and a summary of all contracts entered into, with the name of each person interested therein; and he shall also take and arrange, according to the entry in such duplicate balance sheets, all vouchers and receipts for all disbursements during said month. After the said duplicate and balance-sheets shall have been indorsed by the superintendent and board of trustees, as provided for in the fifth section of this act, the steward shall, within two days thereafter, file said duplicate and the vouchers pertaining thereto in the office of the probate court of Greene county, and he shall take and subscribe an oath before the said court, to be indorsed on each of said duplicate balance-sheets, that the said account is a full, true and correct account of his

said trust for the preceding month, to the best of his knowledge and belief.

Sec. 5. The said probate judge shall carefully examine said account, and compare the same with the vouchers, and see that the footings of figures are correct, and he shall have full power and authority at any time to examine the said superintendent under oath touching his account, and, if the judge think proper to do so, he may reduce such examination to writing, and require the superintendent to sign the same, and such examination shall then be filed with the papers of the proper monthly settlement. After having made the necessary examination, the judge of said probate court shall indorse his finding and approval or otherwise on each of said duplicate balance-sheets, one of which he shall transmit forthwith by mail to the Governor, and the other, together with the vouchers, shall be filed and safely kept in the office of said probate court. Said superintendent shall not be credited with disbursements by the trustees or probate court, in his monthly account, to an amount above ten dollars in the aggregate in any one month, unless the same is accompanied with a proper voucher therefor and itemized account thereof.

Sec. 6. The probate judge shall receive the sum of three dollars for the performance of his duties aforesaid for each monthly statement and settlement, and fifty cents for the recording of each bond required to be recorded by this act, which sum shall be paid by the superintendent, and carried into the next monthly account, together with the balance so found by said court; and all books, papers, contracts, vouchers, etc., pertaining to the business of said institution, shall be and forever remain the property of the State of Ohio, and shall be kept and preserved as such for future use.

Sec. 7. Said superintendent shall make all contracts on behalf of, and all purchases for such institution, where they can be made on the best terms, keep the accounts, pay those employed in and about the institution, take vouchers for all expenditures, have a personal superintendence of the farm, garden and grounds, and perform such other duties as may be assigned him by the board of trustees. He may make engagements with and discharge those employed in and about the institution.

Sec. 8. The superintendent shall, before entering on his duties, enter into a bond to the State of Ohio, with at least two good and sufficient sureties, to be approved by the probate court of the county in which such institution is located, in the penal sum of twenty thousand dollars, conditioned that he will faithfully and honestly perform the duties of his office, and pay over and account for all moneys and property that shall come into his hands, by reason of his said office, belonging to the State or to any other person; which bond shall be recorded in the journal of said probate court, and filed in the office of the Governor.

Sec. 9. Whenever, in the opinion of the board of trustees, more than five hundred dollars' worth of any one article will be needed for the use of the institution during any one year, then it shall be the duty of said board to advertise for sealed bids to furnish at the institution such articles at such times and in such quantities as the superintendent may, from time to time, direct, each bid to be accompanied with a bond, in such amount as the board may direct, with good and sufficient surety, that such bidder, if the contract be awarded to him, will fulfill and perform the contract on his part; and all such contracts shall be awarded to the lowest bidder; but said board may reject all bids, and re-advertise.

Sec. 10. The said board of trustees may, at pleasure, remove any matron or physician, teacher or employe, and they may remove the super-

intendent also for incompetency, gross neglect of duty, or refusal to discharge the duties devolving upon him, or for any misconduct which renders it improper for him longer to continue at the head of the institution, and may direct the discharge of a pupil or inmate when they shall deem it expedient.

Sec. 11. No trustee or any officer of the institution shall hereafter be, either directly or indirectly, interested in the purchase of building material, or any article of furniture or supply for the use of, or in any contract in behalf of, said institution; and no member of any board of trustees shall hereafter be eligible to the office of superintendent of said institution during the term for which he was appointed, nor within one year after his term shall have expired; and the said board and superintendent shall, on the fifteenth day of November in each year, make their report to the Governor of the condition of such institution, and an estimate of the several necessities of the institution for the succeeding year: Provided, that whenever the fifteenth day of any month shall be Sunday, then the duties required by this act to be performed on that day may be performed on the next day or Monday.

Sec. 12. The superintendent of said institution shall be a person of acknowledged skill and ability in his profession, and shall sustain a good moral character. He shall have entire control of the educational, moral and dietetic treatment of the inmates and pupils, and shall see that the several officers and employes in the institution faithfully and diligently discharge their respective duties. He shall employ such attendants, nurses, servants and such other persons as he may deem necessary for the efficient and economical management of the institution, assign them their respective places and duties. The superintendent and matron shall devote their entire time to the interest of the institution.

Sec. 13. The matron, under the direction of the superintendent, and not otherwise, shall have the general supervision of the domestic arrangements of the institution, and do what she can to promote the comfort and welfare of its inmates.

Sec. 14. The superintendent shall receive as compensation for his said services the sum of $1,000 a year; the matron $300 a year—said salaries to be paid in monthly installments, and receipts taken, and the several amounts carried into the monthly account of the steward.

Sec. 15. The Treasurer of State may, from time to time, advance to the superintendent, on his own order, approved by a majority of the board of trustees, on a warrant from the Auditor of State, a sum not exceeding three thousand dollars, to meet current expenses; and he shall account for the whole sum of three thousand dollars before another order is approved.

Sec. 16. For all debts due said institution an action may be maintained in the name of the board of trustees of the institution.

Sec. 17. Any trustee, superintendent, physician or matron who shall conceal or convert to his or her own use any money or other property of a value above thirty-five dollars belonging to said institution, or belonging to the State of Ohio, or who shall cheat or attempt to cheat, or collude with any other person to cheat or defraud such institution or the State of Ohio in any manner whatever, shall be deemed guilty of a misdemeanor, and on conviction thereof before the proper court shall be imprisoned in the penitentiary and kept at hard labor not more than ten years nor less than one year; and any trustee, superintendent, physician or matron who shall be, directly or indirectly, interested in any contract for or purchase of any building material, or any article of furniture supply, or pro-

visions for the use of said institution, or for any building or improvement, shall, on conviction thereof before the proper court, be punished by imprisonment in the penitentiary, at hard labor, not less than one nor more than ten years.

Sec. 18. That sections 1, 2, 3, 5, 8, 9, 10 and 11 of the act entitled an act to establish the Ohio Soldiers' and Sailors' Orphans' Home, passed April 14, 1870, and all other acts and parts of acts inconsistent with the provisions of this act, be and the same are hereby repealed.

Sec. 19. This act shall take effect and be in force from and after its passage.

RODNEY C. MCCLOUD, JOHN J. GEGHAN,
WILLIAM M. MCKINLEY, JAMES WATSON.

Mr. Ford submitted the following minority report from the same committee:

The undersigned, members of the committee on Military Affair, etc., to whom was referred H. B. No. 320, disagreed with the majority of the members of said committee, and respectfully submit the following as their minority report:

We find that the affairs of the Ohio Soldiers' and Sailors' Orphans' Home are honestly, economically and well managed, and beleive that the interests of the institution and of the State demand that its present organization and management shall be maintained. We therefore recommend that the bill may not be passed.

GEO. H. FORD,
JOHN M. COOLEY,
JOHN L. MYERS.

Mr. Gowey moved that the minority report be placed on the Journal.

On which motion the yeas and nays were demanded, ordered, and resulted—yeas 49, nays 36, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Barrett, Bay, Beatty, Blake, Brooke, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Cooley, Conkright, Duncan, Eidson, Faxon, Ford, Gowey, Grosvenor, Harrison, Herron, Holloway, Holt, Johnson, Loomis, Mack, Mann, Martin, McLain, Morris, Munson, Myers of Ashland, Myers of Fayette, Neff, Newton, Oren, Pattison, Ramsay, Ray, Richmond, Robb, Scott, Stone, Thompson of Lucas, Tryon, Van Meter, Varley, Vincent, West and Williams—49.

Those who voted in the negative were—

Messrs. Archer, Baker of Fairfield, Baker of Perry, Barnett, Baskin, Beach, Bell, Brunner, Cole, Conklin, Eshelman, Geghan, Green, Haag, Hardy, Heitmann, Hill, Hoagland, Huston, Inman, Kemp, McCoy, McKinley, Mesloh, Nelson, Newell, Parker, Pearson, Poe, Sater, Sheppard, Sherrick, Thompson of Montgomery, Walker, Weible and White—36.

So the motion was agreed to.

The substitute was then agreed to, and the bill ordered to be engrossed.

Mr. Myers of Ashland submitted the following report:

The committee on Medical Colleges and Societies, to whom was referred H. B. No. 314, to amend section 5 of act entitled an act regulating the Commercial Hospital of Cincinnati, passed March 11, 1861, as amended by an act passed March 1, 1870, having had the same under consideration, report it back, with the following amendments, and recommend its passage:

"Section 2. That said original section 5 of an act regulating the Com-

mercial Hospital of Cincinnati, passed March 11, 1861 (O. L., Vol. 58, p. 151), as amended by an act passed March 1, 1870. (O. L., Vol. 67, p. 120.)

"Section 3. This act shall be in force from and after its passage."

BENJAMIN MYERS, J. B. RAY,
EDWARD C. LEWIS, GEO. W. LIGHT.
JON. MORRIS, JAMES NORTON.
T. B. WILLIAMS,

The amendments were agreed to; and said bill was then ordered to be engrossed, and read the third time to-morrow.

Mr. Hardy submitted the following report:

The committee on Turnpikes, to whom was referred H. B. No. 302, to repeal an act therein named, having had the same under considertion, report it back, and recommend that it be indefinitely postponed.

HENRY HARDY, A. W. MUNSON,
E. M. GREEN, THOS. H. BASKIN.
JOHN L. MYERS,

Said report was agreed to, and the bill indefinitely postponed.

Mr. Green submitted the following report:

The committee on Finance, to whom was referred H. B. No. 299, to amend an act entitled an act supplementary to an act for the assessment and taxation of property in this State, and for levying taxes thereon according to its true value in money, passed April 5, 1859, having had the same under consideration, report it back, and recommend its further consideration be postponed until January, 1875.

E. B. ESHELMAN, GEO. W. BOYCE,
J. SCOTT, THOS. E. DUNCAN,
W. P. HOWLAND, R. HILL,
E. M. GREEN, GEO. H. FORD.

Said report was agreed to, and the bill postponed until January, 1875.

Mr. Baskin submitted the following report:

The committee on Turnpikes, to whom was referred H. B. No. 93, to amend section 1 of an act entitled an act to fix the rate of toll on turnpike and plank-road companies, passed and took effect March 16, 1865, and the several acts amendatory thereto, having had the same under consideration, report it back, and recommend its indefinite postponement.

THOS. H. BASKIN, HENRY HARDY,
E. M. GREEN E. M. WALKER.

Said report was agree to, and the bill indefinitely postponed.

Mr. Brooke submitted the following report:

The committee on Corporations other than Municipal, to whom was referred H. B. No. 322, to amend an act entitled an act to prevent cruelty to animals, passed April 4, 1871, having had the same under consideration, report it back, with the following amendments, and recommend its engrossment and passage:

Section 5. In line nine erase "d" from "engaged." Strike out "or any." Line ten, erase "similar cruelty to animals." Erase "y" from "any." Line twelve, erase "fifty" and substitute "ten"; also, strike out "and" and insert "or." In line thirteen, after "days," add "or both." In line nineteen, strike out "upon such fact being proven," and insert "on conviction thereof." After the word "given," in line twenty-three, add "and all

leases of any property upon which dog-fighting, cock-fighting or bear-baiting shall be permitted, in violation of the provisions of this act, are hereby declared to be void."

PAUL A. J. HUSTON, WM. VAN METER,
EDWARD BROOKE, J. H. FAXON,
W. P. HOWLAND, J. M. POE.

The amendments were agreed to.

Said bill was then ordered to be engrossed, and read the third time to-morrow.

Mr. Cooley submitted the following report:

The committee on Military Affairs, to whom was referred S. B. No. 98, to amend an act entitled an act to incorporate sharpshooters' associations, passed March 6, 1867, having had the same under consideration, report it back, with the following amendment, and recommend its engrossment and passage:

Strike out all of section 2, and add to first section the following: "Provided, that any incorporated number of persons or association organized and accepting the terms and exemptions of its members under the provisions of this act, shall be enrolled and subject to and perform all and severally the duties and requirements provided for in an act to organize and regulate an independent militia, passed April 15, 1870, and an act amendatory thereof, passed April 29, 1873, passed May 6, 1873. Such uniformed organization so accepting shall rank and take position from date of such original organization."

R. C. MCCLOUD, JOHN J. GEGHAN,
GEO. H. FORD, WM. M. MCKINLEY,
J. L. MYERS, JAMES WATSON.
JOHN M. COOLEY,

The amendment was agreed to.

Said bill was then ordered to be engrossed, and read the third time Wednesday next.

Mr. Bell submitted the following report:

The committee on Public Works, to whom was referred H. B. No. 318, to vacate so much of the Hocking canal as lies eastward of the lock at the village of Chauncey, in Athens county, having had the same under consideration, report it back, and recommend that it be engrossed and passed.

WM. BELL, Jr., C. A. COLER,
O. CASE, GEORGE JOHNSON.
J. E. PEARSON,

On motion of Mr. Grosvenor, said bill was laid on the table.

Mr. Scott submitted the following report:

The committee on Judiciary, to whom was referred H. B. No. 326, to amend sections 3 and 4 of an act regulating sales at auction, passed March 16, 1840, and took effect March 1, 1841, having had the same under consideration, report it back, with the recommendation that it pass.

J. SCOTT, WM. W. BEATTY,
J. M. HAAG, C. C. ARCHER,
J. H. HEITMANN, T. M. ROBB.

On motion of Mr. Scott, said bill was then read the third time.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 65, nays 2, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Guernsey, Baker of Coshocton, Baker of Fairfield, Barnett, Barrett, Bay, Beatty, Blake, Boyce, Case, Chapman of Cuyahoga, Chapman of Meigs, Cole, Cooley, Conkright, Duncan, Eidson, Eshelman, Faxon, Ford, Gowey, Haag, Harrison, Heitmann, Herron, Hill, Hoagland, Holloway, Huston, Inman, Johnson, Kemp, Lewis, Loomis, Mack, Mann, Martin, McKinley, McLain, Mesloh, Moorehead, Morris, Munson, Murlin, Myers of Fayette, Neff, Newell, Newton, Pattison, Ramsay, Richmond, Robb, Sater, Scott, Sheppard, Stone, Tryon, Van Meter, Varley, Vincent, Watson, Weible, West and Williams—65.

Messrs. Beach and Thompson of Montgomery voted in the negative.

So the bill passed. The title was agreed to.

Mr. Barnett submitted the following report:

The committee on Roads and Highways, to whom was referred S. B. No. 130, supplementary to an act passed April 30, 1867, entitled an act to amend section 4 of an act entitled an act for opening and regulating roads and highways, passed January 27, 1853, having had the same under consideration, report it back, and recommend its passage.

B. Neff, E. A. Stone,
Robert Barnett, J. A. Moorehead,
W. H. Conkright, Lebbeus Cole.

Said bill was ordered to be read the third time to-morrow.

Mr. Eshelman submitted the following report:

The committee on Finance, to whom was referred H. B. No. 324, to authorize the commissioners of Scioto county to levy an additional tax, having had the same under consideration, report it back, with the following amendments, and recommend its passage:

Strike out of lines five and six, in section 1, the words "on account and for the benefit," and insert the words "to pay the indebtedness." Amend line four of section 1 by striking out the word "three-quarters" and inserting the word "one-half."

E. B. Eshelman, E. M. Green,
J. Scott, W. P. Howland,
Thos. E. Duncan, Geo. H. Ford,
Geo. W. Boyce, R. Hill.

The amendments were agreed to.

Said bill was then ordered to be engrossed, and read the third time to-morrow.

Mr. Howland submitted the following report:

The committee on Corporations other than Municipal, to whom was referred H. B. No. 310, to enable the trustees of religious denominations to become incorporated, and defining their powers, having had the same under consideration, report it back, with the following amendments, and recommend its passage when so amended: Section 2, line three, strike out all after the word "terms" to the word "as," in line four, same section. Section 4, line six, insert after the word "representative" the word "body."

W. P. Howland, Paul A. J. Huston,
J. M. Poe, J. H. Faxon.
Wm. Van Meter,

The amendments were agreed to.

Said bill was then ordered to be engrossed, and read the third time to-morrow.

Mr. Baker of Fairfield submitted the following report:

The committee on Fees and Salaries, to whom was referred S. B. No. 122, to amend section 1 of an act entitled an act to regulate compensation of sheriffs for keeping and providing for prisoners in jail, and to repeal certain acts therein named, passed March 13, 1866, having had the same under consideration, report it back, and recommend that it be indefinitely postponed.

GEO. S. BAKER, WM. T. CONKLIN,
WM. W. BEATTY, J. C. VINCENT,
GEO. JOHNSON, M. A. HOAGLAND.
LEBBEUS COLE,

Said report was agreed to, and the bill indefinitely postponed.

Mr Case submitted the following report:

The committee on Common Schools and School Lands, to whom was referred the memorial of many citizens of original surveyed township No. 5, range No. 1, east, Oxford township, Butler county, Ohio, having had the same under consideration, report it back, and recommend the adoption of the accompanying joint resolution:

H. J. R. No. 42: WHEREAS, Oxford township (township No. 5, range No. 1, east), Butler county, Ohio, in soliciting school lands to which it was entitled, designated among other lands the north-east quarter of section No. 25, township No. 3, north, range No. 3, east, containing 160 acres, and fractional south half west of river, section No. 19, township No. 3, north, range No. 4, east, containing 164 19-100 acres, all of which are situate in the county of Paulding, in the State of Ohio; and

WHEREAS, After such selections it was ascertained that said lands had been previously sold and conveyed by the State authorities, whereby the said Oxford township was deprived of their due amount of school lands; therefore

Resolved by the General Assembly of the State of Ohio, That the Auditor of State be and he is hereby directed to transfer from the general revenue fund to the irreducible school fund to the credit of said Oxford township the sum of seven hundred and twenty-eight dollars and thirty-eight cents ($728.38), that being the amount received by the State for said lands, together with interest on said amount from the date of the sale of said tracts of land respectively.

O. CASE, A. W. MUNSON,
H. G. TRYON, G. W. LIGHT,
E. MARTIN, J. A. MOOREHEAD.

On motion of Mr. Scott, the resolution was referred to the committee on Finance.

Mr. McCoy submitted the following report:

The committee on Agriculture, to whom was referred H. B. No. 70, to amend section 2 of an act to restrain from running at large certain animals therein named, passed and took effect May 1, 1865, having had the same under consideration, report it back, and recommend its passage.

MILT. MCCOY, H. H. MACK,
J. F. THOMPSON, H. M. CHAPMAN.
ROBERT BARNETT,

Said bill was ordered to be engrossed, and read the third time to-morrow.

Mr. Faxon submitted the following report:

The committee on Corporations other than Municipal, to whom was

referred S. B. No. 57, to amend section 1 of an act entitled an act to enable associations of persons for building hotels, and for other purposes, to become bodies corporate, passed April 5, 1866, as amended by an act passed April 25, 1868, having had the same under consideration, report it back, and recommend its passage.

J. H. FAXON, W. P. HOWLAND,
EDWARD BROOKE, J. M. POE,
PAUL A. J. HUSTON, WM. VAN METER.

Said bill was ordered to be read the third time.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 83, nays 2, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Armstrong of Guernsey, Baker of Coshocton, Baker of Perry, Barrett, Baskin, Beach, Beatty, Bell, Blake, Boyce, Brooke, Brunner, Carnahan, Chapman of Cuyahoga, Cole, Cooley, Conklin, Conkright, Eidson, Eshelman, Faxon, Ford, Gowey, Green, Haag, Hardy, Harrison, Haven, Heitmann, Herron, Hill, Hoagland, Holloway, Holt, Howland, Huston, Inman, Johnson, Kemp, Lewis, Light, Loomis, Mack, Mann, Martin, McCloud, McCoy, McKinley, McLain, Mesloh, Moorehead, Munson, Murlin, Myers of Ashland, Myers of Fayette, Neff, Nelson, Newell, Newton, Norton, Oren, Parker, Pattison, Pearson, Ramsay, Ray, Richmond, Robb, Sherrick, Stone, Thompson of Lucas, Thompson of Montgomery, Tryon, Van Meter, Varley, Vincent, Walker, Weible, West, White and Williams—83.

Messrs. Baker of Fairfield and Barnett voted in the negative.

So the bill passed. The title was agreed to.

Mr. Light submitted the following report:

The committee on Common Schools and School Lands, to whom was referred S. B. No. 134, prescribing the terms of sale of section 16 of the original surveyed township No. 10, range 4, in Harrison county, having had the same under consideration, report it back, and recommend its passage.

G. W. LIGHT, J. A. MOOREHEAD,
O. CASE, JOHSON SHERRICK.
A. W. MUNSON,

Said bill was ordered to be engrossed, and read the third time Tuesday next.

Mr. Hardy submitted the following report:

The joint committee on Enrollment have examined, and found correctly enrolled, the following joint resolution:

H. J. R. No. 36: Relating to the appointment of a committee to examine the cells of the Penitentiary.

HENRY HARDY, L. A. BRUNNER,
J. M. PATTISON, J. C. FISHER.
O. B. CHAPMAN, A. M. BURNS,
H. M. CHAPMAN, S. KNOX,
B. NEFF, M. C. LAWRENCE.

The Speaker, in the presence of the House, signed said joint resolution.

Mr. Murlin submitted the following report:

The committee on New Counties and County Affairs, to whom was referred the petition of Paul Williams and other citizens of Washington

township, Warren county, having had the same under consideration, report by bill.

HIRAM MURLIN, J. B. RAY,
E. M. WALKER, S. A. WEST.
SHELDEN NEWTON,

The following is the bill:

H. B. No. 341—By. Mr. Murlin: For the relief of William Van Doren.

Said bill was read the first time.

Mr. Murlin submitted the following report:

The committee on New Counties and County Affairs, to whom was referred H. B. No. 292, to amend section 16 of an act for the relief of the poor, and to repeal certain acts therein named, passed April 26, 1872, passed May 5, 1873, having had the same under consideration, report it back, and recommend its indefinite postponement.

S. A. WEST, HIRAM MURLIN,
E. M. WALKER, J. B. RAY,
JAMES WATSON, SHELDEN NEWTON.

On motion of Mr. Gowey, said bill was laid on the table.

Mr. Light submitted the following report:

The committee on Common Schools and School Lands, to whom was referred H. B. No. 311, creating a special school district in the township of Berlin, and county of Delaware, having had the same under consideration, report it back, and recommend its indefinite postponement.

G. W. LIGHT, O. CASE,
J. A. MOOREHEAD, A. W. MUNSON,
JOHNSON SHERRICK, H. G. TRYON.

Said report was agreed to, and the bill indefinitely postponed.

Mr. Holloway submitted the following report:

The committee on Public Printing, to whom was referred H. B. No. 265, regulating the price of legal advertising, having had the same under consideration, report it back, with the following amendments, and recommend its passage:

In section 1, lines 5, 6 and 7, strike out the words "one thousand," wherever they occur, and insert "three hundred."

Strike out section 2.

L. A. BRUNNER, I. M. BARRETT,
E. B. ESHELMAN, J. B. RAY,
J. W. NELSON, E. S. HOLLOWAY.

Mr. Walker moved to amend the amendment by striking out "three," and inserting "two."

Which was disagreed to.

Said amendments were then disagreed to.

Said bill was then ordered to be engrossed, and read the third time Wednesday next.

Mr. Case submitted the following report:

The committee on Public Works, to whom was referred H. B. No. 279, to authorize the Board of Public Works to construct a culvert across the National road, in Deercreek township, Madison county, Ohio, having had the same under consideration, report it back, with the following amendment, and recommend its engrossment and passage: In section 3, line two, strike out the word "four," and insert the word "two."

WM. BELL, JR,, J. H. HEITMANN,
O. CASE, J. E. PEARSON.
GEO. JOHNSON,

The amendment was agreed to.

Said bill was then ordered to be engrossed, and read the third time to-morrow.

Mr. Howland submitted the following report:

The committee on Judiciary, to whom was referred S. B. No. 28, to amend section 2 of an act to establish a code of criminal procedure for the State of Ohio, passed May 6, 1869, took effect August 1, 1869, having had the same under consideration, report it back, and recommend its passage.

W. P. HOWLAND, C. C. ARCHER,
J. M. HAAG, T. M. ROBB,
C. H. GROSVENOR, J. H. HEITMANN.

Said bill was ordered to be read the third time now.

The question then being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 69, nays 1, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barrett, Bay, Beach, Blake, Boyce, Brooke, Brunner, Case, Carnahan, Chapman of Cuyahoga, Cole, Cooley, Conklin, Duncan, Edson, Eshelman, Faxon, Geghan, Gowey, Green, Grosvenor, Hardy, Harrison, Heitmann, Herron, Hill, Hoagland, Holloway, Howland, Huston, Inman, Johnson, Kemp, Loomis, Mack, Mann, McCloud, McKinley, McLain, Mesloh, Moorehead, Munson, Myers of Ashland, Myers of Fayette, Neff, Nelson, Newell, Norton, Pattison, Pearson, Poe, Ramsay, Ray, Richmond, Robb, Sherrick, Stone, Thompson of Lucas, Tryon, Van Meter, Vincent, Walker, Weible and Williams—69.

Mr. West voted in the negative.

So the bill passed. The title was agreed to.

On motion of Mr. Mann, the House took a recess.

HALF-PAST TWO O'CLOCK P.M.

Mr. Howland submitted the following report:

The committee on Judiciary, to whom was referred H. B. No. 284, to amend an act entitled an act defining the powers and duties of justices of the peace and constables in criminal cases, passed March 27, 1857, took effect July 4, 1837, having had the same under consideration, report it back, and recommend its passage.

W. P. HOWLAND, J. SCOTT,
J. M. HAAG, J. M. PATTISON,
J. H. HEITMANN, T. M. ROBB.

Said bill was then ordered to be engrossed, and read the third time to-morrow.

Mr. West submitted the following report:

The committee on New Counties and County Affairs, to whom was referred H. B. No. 289, to amend an act authorizing township trustees to levy a tax to purchase a site and erect a township house thereon, passed May 6, 1869, having had the same under consideration, report it back, and recommend its engrossment and passage.

S. A. WEST, JAMES WATSON,
R. RAMSAY, SHELDEN NEWTON,
J. B. RAY, E. M. WALKER.

Said bill was ordered to be read the third time now.

The question then being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 62, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Armstrong of Guernsey, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barrett, Bay, Beach, Beatty, Bell, Blake, Boyce, Brooke, Brunner, Case, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Cole, Conklin, Duncan, Eshelman, Faxon, Geghan, Gordon, Green, Grosvenor, Hardy, Harrison, Hill, Hoagland, Holt, Howland, Inman, Johnson, Mack, McCloud, McKinley, McLain, Mesloh, Miller, Munson, Neff, Nelson, Norton, Oren, Pattison, Poe, Ramsay, Ray, Richmond, Robb, Sater, Sherrick, Stone, Tryon, Varley, Vincent, Walker, West, White and Williams—62.

So the bill passed. The title was agreed to.

Mr. Beatty submitted the following report:

The committee on the Judiciary, to whom was referred H. B. No. 305, to amend section 34 of an act to regulate the election of State and county officers, passed May 3, 1852, having had the same under consideration, report it back, and recommend its engrossment and passage.

WM. W. BEATTY,	J. H. HEITMANN,
J. SCOTT,	W. P. HOWLAND,
C. H. GROSVENOR,	C. C. ARCHER,
J. M. HAAG,	T. M. ROBB.

Said bill was then ordered to be engrossed, and read the third time to-morrow.

Mr. Howland submitted the following report:

The committee on Corporations other than Municipal, to whom was referred S. B. No. 73, to amend section 1 of an act entitled an act supplementary to an act to provide for the creation and regulation of incorporated companies in the State of Ohio, passed May 1, 1862, passed April 12, 1865, as amended February 18, 1873, having had the same under consideration, report it back, and recommend its indefinite postponement.

W. P. HOWLAND,	EDWARD BROOKE,
P. A. J. HUSTON,	J. M. POE,
J. H. FAXON,	WM. VAN METER.

Said report was agreed to, and the bill indefinitely postponed.

Mr. Johnson submitted the following report:

The committee on Fees and Salaries, to whom was referred H. B. No. 325, to amend section 1 of the act passed March 9, 1868, entitled an act to amend section 3 of an act to regulate fees of clerks of the court of common pleas, passed April 12, 1865, having had the same under consideration, report it back, and recommend that it be indefinitely postponed.

GEORGE JOHNSON,	M. A. HOAGLAND,
WM. T. CONKLIN,	GEO. S. BAKER,
WM. W. BEATTY,	LEBBEUS COLE.

On motion of Mr. McLain, said bill was recommitted to a select committee of one—Mr. McLain.

Mr. Conklin submitted the following report:

The committee on Claims, to whom was referred the claim of John D. Vance, late Sergeant-major of the 24th Ohio Volunteer Infantry, for reimbursement of expenses while on recruiting service in Ohio from December, 1863, to April, 1864, $298.71, having had the same under consideration, report it back, and ask to be discharged from the further consideration of the same, and ask its reference to the committee on the Judiciary.

WM. T. CONKLIN,	F. R. LOOMIS,
O. CASE,	GEO. S. BAKER,
B. NEFF,	J. W. NELSON.

Said report was agreed to, and the committee discharged.

On motion of Mr. Conklin, said claim was then recommitted to the committee on the Judiciary.

The following bill was introduced and read the first time:

H. B. No. 342—By Mr. McCloud: To prevent the sale of intoxicating liquors at or near the Ohio Soldiers' and Sailors' Orphans' Home.

On motion of Mr. Oren, the constitutional rule was dispensed with, and the bill was read the second time now.

Mr. Scott moved to dispense with the constitutional rule requiring bills to be read on three several days, and that the bill be read a third time now.

On which motion the yeas and nays were ordered, and resulted—yeas 62, nays 5, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Armstrong of Guernsey, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barrett, Baskin, Bay, Beach, Beatty, Bell, Blake, Boyce, Brooke, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Cole, Conklin, Conkright, Duncan, Eidson, Eshelman, Faxon, Green, Grosvenor, Haag, Hardy, Harrison, Haven, Hill, Holloway, Holt, Howland, Johnson, Mack, Mann, McCloud, McLain, Mesloh, Miller, Munson, Myers of Fayette, Neff, Nelson, Oren, Pattison, Poe, Ramsay, Ray, Richmond, Robb, Sater, Scott, Stone, Thompson of Montgomery, Tryon, Varley, Vincent, Walker, West and Williams—62.

Those who voted in the negative were—

Messrs. Gordon, Hatfield, Heitmann, Huston and White—5.

So the constitutional rule was not dispensed with.

Said bill was then ordered to be read the third time to-morrow.

Mr. Munson submitted the following report:

The committee on Common Schools and School Lands, to whom was referred H. B. No. 280, for the consolidation of sub-school districts numbers five and six, in Rumley township, Harrison county, Ohio, into one sub-school district, to be known as sub-school district number five, having had the same under consideration, report it back, with the following amendment, and recommend its passage.

"Section 4. The qualified electors of such sub-district so organized by such consolidation shall meet in the village of New Rumley, by at least five days' notice being given, said notice to be signed by five or more qualified electors resident therein, to be posted in at least five of the most public places in such sub-district for at least five days prior thereto, on the second Monday of April, 1874, and there, between the hours of three and five o'clock in the afternoon of said day, proceed to elect three local directors; one for one year, one for two years, and one for three years, from the third Monday of April, 1874, who shall organize and be controlled in all things by the laws in force providing for the organization and maintenance of common schools.

A. W. Munson, E. Martin,
G. W. Light, H. G. Tryon.
J. A. Moorehead,

The amendment was agreed to.

Said bill was then ordered to be engrossed, and read the third time to-morrow.

Mr. Pattison submitted the following report:

The select committee of one to whom was referred H. B. No. 262, to amend section 335 of an act entitled an act to provide for the organization and government of municipal corporations, passed April 9, 1869, as

amended April 18, 1870, having had the same under consideration, reports it back, with the following amendments, as instructed:

Section 355, line fifteen, after the word "years," insert, "that all contracts, or resolutions contemplating the expenditure of money, shall be passed by a vote of four-fifths of the members of said board."

Section 335, line 17, after the word "act," insert, "which shall be held at the first municipal election held in said cities of the first class at the first regular municipal election of said cities."

J. M. PATTISON.

Said bill was then ordered to be engrossed, and read the third time to-morrow.

Mr. Neff submitted the following report:

The select committee of one to whom was referred H. B. No. 159, to amend section 14 of an act amendatory of and supplementary to an act entitled an act to provide for establishing an insurance department in the State of Ohio, passed April 26, 1873, having had the same under consideration, reports it back, amended as instructed.

B. NEFF.

Said bill was ordered to be engrossed, and read the third time to-morrow.

Mr. Grosvenor submitttd the following report:

The select committee of one to whom was referred S. B. No. 127, to amend section 6 of an act entitled an act to prevent cruelty to animals, passed April 6, 1871, having had the same under consideration, reports it back, amended as instructed, viz. strike out the word "and," in the eighth line of the 1st section, and all the remainder of said section.

C. H. GROSVENOR.

The amendment was ordered to be engrossed; and, on motion of Mr. Grosvenor, the further consideration of said bill was postponed until to-morrow.

Mr. Grosvenor submitted the following report:

The select committee of one to whom was referred H. B. No. 264, to provide for the publication of certain volumes of the Ohio State Reports, having had the same under consideration, reports it back, with the following amendment, and recommends its passage when so amended:

Add at the end of section 1 the following: "Provided, that whereas there is now on hand in the possession of the State fifteen hundred and fifty five copies of the Ohio State Reports, of the volumes of said reports provided to be purchased by the provisions of this act, therefore the number of each volume of said reports intended to be purchased shall be reduced by the number of the copies of such report on hand as aforesaid, it being the intent and meaning of this act to provide for the purchase of a sufficient number of each report to make, with those on hand, three hundred and fifty volumes."

C. H. GROSVENOR.

The amendment was agreed to.

The further consideration of said bill was postponed until Tuesday next.

Mr. Neff submitted the following report:

The committee of conference to whom was referred the matters in difference between the House of Representatives and the Senate upon H. B. No. 144, to amend sections 2 and 4 of an act entitled an act to amend sections 1, 2, 4, 5, 6 and 11 of an act entitled an act to authorize county com-

missioners to construct roads on a petition of a majority of the resident land-owners, etc., having had the same under consideration, recommend that the House concur in the amendments made by the Senate, with the following amendment: In the engrossed amendments, line 5, after the word "line," add the words "down to and including the word 'termination,'" in the twenty-sixth line of the engrossed bill.

M. C. LAWRENCE,	R. HILL,
W. SHERIDAN, JR.,	H. WEIBLE,
S. N. YEOMAN,	B. NEFF,
Senate Committee.	*House Committee.*

The question being on agreeing to the report of the committee of conference, the yeas and nays were demanded, ordered, and resulted—yeas 72, nays 1, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Belmont, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Barrett, Baskin, Bay, Beach, Bell, Blake, Brooke, Brunner, Case, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Cole, Conkright, Eidson, Eshelman, Geghan, Green, Grosvenor, Haag, Hardy, Harrison, Hatfield, Haven, Heitmann, Herron, Hill, Hoagland, Holloway, Holt, Howland, Huston, Inman, Johnson, Kemp, Light, Mack, Mann, McCoy, McKinley, McLain, Mesloh, Miller, Moorehead, Morris, Munson, Myers of Ashland, Myers of Fayette, Neff, Newell, Newton, Norton, Oren, Pattison, Pearson, Ramsay, Ray, Richmond, Robb, Sater, Thompson of Montgomery, Tryon, Van Meter, Vincent, West, White and Williams—72.

Mr. Walker voted in the negative.

So the report was agreed to.

On motion of Mr. Baskin, the vote by which H. B. No. 298 was lost was reconsidered.

The question then being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 62, nays 10, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Armstrong of Guernsey, Baker of Coshocton, Baker of Perry, Barrett, Baskin, Bay, Beach, Blake, Brunner, Carnahan, Chapman of Cuyohoga, Chapman of Meigs, Cole, Conklin, Conkright, Eidson, Faxon, Geghan, Green, Grosvenor, Harrison, Hatfield, Herron, Holt, Howland, Inman, Johnson, Light, Mann, Martin, McCoy, McKinley, McLain, Mesloh, Miller, Moorehead, Morris, Munson, Myers of Ashland, Myers of Fayette, Neff, Nelson, Newton, Norton, Oren, Pattison, Pearson, Ramsay, Ray, Richmon l, Robb, Stone, Thompson of Lucas, Thompson of Montgomery, Van Meter, Vincent, Walker, Watson, White and Williams—62.

Those who voted in the negative were—

Messrs. Baker of Fairfield, Barnett, Bell, Hardy, Huston, Newell, Sater, Scott, Varley and West—10.

So the bill passed. The title was agreed to.

The following bill was introduced on leave, and read the first time:

H. B. No. 343—By Mr. Mesloh: To change the time fixed for holding the second term of the court of common pleas for the year 1874 in the county of Auglaize.

On motion of Mr. Green, the constitutional rule was dispensed with, and the bill read the second time by its title, and referred to the committee on Judiciary.

On motion of Mr. Miller, H. B. No. 233, to amend section 507 of an act to provide for the organization and government of municipal corporations, passed May 1, 1869, as amended February 14, 1873, was taken from the table.

The question then being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 76, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Baker of Coshocton, Barnett, Baskin, Bay, Beach, Bell, Blake, Boyce, Brooke, Brunner, Chapman of Cuyahoga, Chapman of Meigs, Cole, Conklin, Conkright, Duncan, Eidson, Eshelman, Faxon, Geghan, Green, Grosvenor, Haag, Hardy, Harrison, Hatfield, Haven, Heitmann, Herron, Hill, Hoagland, Holt, Huston, Inman, Johnson, Kemp, Light, Mack, Mann, Martin, McCoy, McKinley, McLain, Mesloh, Miller, Moorehead, Morris, Munson, Myers of Ashland, Myers of Fayette, Neff, Nelson, Newell, Newton, Norton, Oren, Pattison, Pearson, Ramsay, Richmond, Robb, Sater, Scott, Sherrick, Stone, Thompson of Lucas, Thompson of Montgomery, Tryon, Van Meter, Varley, Vincent, Weible, White and Williams—76.

So the bill passed. The title was agreed to.

On motion of Mr. Scott, H. J. R. No. 40 was taken from the table.

Mr. Eshelman moved to refer the resolution to the committee on Federal Relations.

On which the yeas and nays were demanded, ordered, and resulted—yeas 48, nays 39, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Baker of Coshocton, Baker of Fairfield, Barnett, Baskin, Beach, Bell, Boyce, Brunner, Case, Cole, Conklin, Eshelman, Geghan, Green, Haag, Hardy, Hatfield, Heitmann, Hill, Hoagland, Holt, Howland, Huston, Kemp, Lewis, Light, McCloud, McCoy, McKinley, Mesloh, Miller, Moorehead, Myers of Ashland, Nelson, Newell, Norton, Pattison, Pearson, Robb, Sater, Sheppard, Sherrick, Thompson of Montgomery, Walker, Weible, White and Speaker—48.

Those who voted in the negative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Barrett, Bay, Beatty, Blake, Brooke, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Conkright, Duncan, Eidson, Faxon, Gowey, Grosvenor, Harrison, Haven, Herron, Holloway, Johnson, Loomis, Mann, McLain, Munson, Myers of Fayette, Neff, Newton, Oren Ramsay, Ray, Richmond, Scott, Stone, Thompson of Lucas, Tryon, Varley, Vincent and Williams—39.

So the motion to refer was agreed to, and the resolution committed to the committee on Federal Relations.

On motion of Mr. Heitmann, S. B. No. 70 was taken from the table.

The pending amendments to said bill were agreed to.

Said bill was then ordered to be engrossed, and read the third time to-morrow.

Mr. Light offered the following resolution:

H. R. No. 95: WHEREAS, It is evident that the people of the great West and South are rapidly increasing and improving in their agricultural, commercial, mechanical and mineral interests, which necessitates a greater amount of circulating medium to insure their success and prosperity than at any period of the past; therefore

Resolved, That we fully indorse the action of those Democratic and Republican Representatives in Congress from this State which, in its tendency, is looking towards fixing the maximum amount of legal tenders at

$400,000,000, thereby indicating their desire and motive to legislate for the interest and welfare of all the citizens of every part of the Union, and affirming the time honored maxim of equal rights and justice to all and special privileges to none, as the true spirit of our form of government.

On motion of Mr. Scott, said resolution was laid on the table and ordered to be printed.

Mr. Brunner offered the following resolution, which was adopted:

H. R. No. 96: *Resolved*, That a committee of three be appointed to examine into the cause of delay upon the part of the public printers in holding back the publication of certain reports and the general and local laws passed by the present General Assembly, and that they report at an early day to this House.

Mr. Beach moved to reconsider the vote whereby S. B. No. 129 was laid on the table.

On which the yeas and nays were demanded, ordered, and resulted—yeas 49, nays 39, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Baskin, Beach, Bell, Boyce, Cole, Conklin, Eshelman, Geghan, Gordon, Green, Haag, Hardy, Hatfield, Heitmann, Hill, Hoagland, Huston, Inman, Kemp, Lewis, Light, McCloud, McCoy, McKinley, Mesloh, Miller, Moorehead, Myers of Ashland, Nelson, Newell, Norton, Pattison, Pearson, Poe, Robb, Sater, Sheppard, Thompson of Montgomery, Van Meter, Walker, Watson, Weible, West and White—49.

Those who voted in the negative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Barrett, Blake, Brooke, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Conkright, Duncan, Eidson, Faxon, Ford, Gowey, Grosvenor, Harrison, Haven, Herron, Howland, Johnson, Loomis, Mann, Martin, McLain, Morris, Munson, Myers of Fayette, Neff, Newton, Oren, Ramsay, Richmond, Scott, Stone, Thompson of Lucas, Tryon, Varley, Vincent and Williams—39.

So the motion to reconsider was agreed to.

Mr. Eshelman moved that the copy of the amendments to the bill be read as the amendments.

On which motion the yeas and nays were demanded, ordered, and resulted—yeas 44, nays 37, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Baskin, Beach, Bell, Boyce, Case, Cole, Conklin, Eshelman, Geghan, Gordon, Green, Hatfield, Heitmann, Hill, Huston, Inman, Kemp, Lewis, Light, McCloud, McCoy, McKinley, Mesloh, Miller, Moorehead, Nelson, Newell, Norton, Pearson, Poe, Robb, Sater, Sheppard, Sherrick, Thompson of Montgomery, Van Meter, Walker, Weible and White—44.

Those who voted in the negative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Barrett, Bay, Beatty, Blake, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Conkright, Duncan, Eidson, Faxon, Gowey, Grosvenor, Harrison, Haven, Herron, Howland, Johnson, Loomis, Mack, Mann, Martin, McLain, Munson, Myers of Fayette, Neff, Oren, Ramsay, Richmond, Scott, Stone, Thompson of Lucas, Varley, Vincent and Williams—37.

So the motion was agreed to.

The amendments were then read and agreed to.

Said bill was then ordered to be read the third time now.

Mr. Archer demanded a call of the House, and 93 members answered to their names.

The absentees were Messrs. Brunner, Coler, Cooley, Haag, Hodge, Marx, Neff, Newton, Parker, Poe, Richards and Scott.

The Sergeant-at-Arms was dispatched for absentees.

Mr. Holloway moved that all further proceedings under the call be dispensed with.

On which motion the yeas and nays were demanded, ordered, and resulted—yeas 35, nays 50, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Barrett, Bay, Beatty, Blake, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Conkright, Duncan, Ford, Gowey, Grosvenor, Haven, Herron, Holloway, Holt, Howland, Johnson, Mann, Martin, McLain, Munson, Myers of Fayette, Neff, Newton, Oren, Ramsay, Richmond, Stone, Thompson of Lucas, Thompson of Montgomery, Vincent and Williams—35.

Those who voted in the negative were—

Messrs. Archer, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Baskin, Beach, Bell, Boyce, Brooke, Case, Cole, Conklin, Eshelman, Geghan, Gordon, Green, Grosvenor, Hardy, Hatfield, Heitmann, Hill, Hoagland, Huston, Inman, Kemp, Lewis, Light, McCloud, McCoy, McKinley, McLain, Mesloh, Miller, Moorehead, Murlin, Myers of Ashland, Nelson, Newell, Norton, Pattison, Pearson, Ray, Robb, Sater, Sheppard, Sherrick, Van Meter, Walker, Weible, White and Speaker—50.

So the House refused to dispense with further proceedings under the call.

Mr. Mann moved that the House do now adjourn.

On which motion the yeas and nays were demanded, ordered, and resulted—yeas 14, nays 63, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Blake, Chapman of Meigs, Eidson, Faxon, Grosvenor, Haven, Holt, Loomis, Mack, Richmond, Stone and Vincent—14.

Those who voted in the negative were—

Messrs. Archer, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Baskin, Beach, Bell, Boyce, Brooke, Case, Carnahan, Chapman of Cuyahoga, Cole, Conklin, Duncan, Eshelman, Geghan, Gordon, Green, Hardy, Harrison, Hatfield, Herron, Hoagland, Holloway, Howland, Huston, Inman, Johnson, Kemp, Lewis, Light, Mann, Martin, McCloud, McCoy, McKinley, Mesloh, Miller, Moorehead, Munson, Murlin, Myers of Ashland, Nelson, Newell, Norton, Oren, Pattison, Pearson, Ray, Robb, Sater, Sheppard, Sherrick, Thompson of Montgomery, Van Meter, Varley, Walker, Watson, Weible, White, Williams and Speaker—63.

So the House refused to adjourn.

On motion of Mr. Archer, all further proceedings under the call were dispensed with.

On motion of Mr. Archer, the House took a recess until 10 o'clock to-morrow morning.

FRIDAY, APRIL 3, 1874—10 o'clock A.M.

The House met pursuant to recess.

Prayer by Rev. R. R. McNulty.

The Speaker laid before the House a communication from the Auditor of State in answer to H. R. No. 94.

On motion of Mr. Eshelman, the communication was referred to the committee on Finance.

On motion of Mr. Haag, the vote by which S. B. No. 73 was indefinitely postponed was reconsidered, and said bill laid on the table.

Mr. Archer demanded a call of the House, and 89 members answered to their names.

The absentees were Messrs. Barnett, Boyce, Chapman of Meigs, Chapman of Cuyahoga, Coler, Cooley, Duncan, Eidson, Gordon, Hodge, Light, Marx, Miller, Morris, Newton, Pearson and Richards.

The Sergeant-at-Arms was dispatched for absentees.

On motion of Mr. Conklin, all further proceedings under the call were dispensed with.

Mr. Archer moved to postpone the further consideration of S. B. No. 129, the bill under consideration, until Wednesday next.

Mr. Scott moved that S. B. No. 129 be laid on the table and ordered to be printed.

On which motion the yeas and nays were demanded, ordered, and resulted—yeas 42, nays 41, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Baker of Fairfield, Barrett, Bay, Beatty, Blake, Brooke, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Conkright, Faxon, Gowey, Grosvenor, Harrison, Haven, Herron, Holloway, Holt, Howland, Johnson, Loomis, Mack, Mann, Martin, McLain, Munson, Myers of Fayette, Neff, Oren, Pattison, Ramsay, Ray, Richmond, Scott, Stone, Thompson of Lucas, Tryon, Varley, Vincent and Williams—42.

Those who voted in the negative were—

Messrs. Archer, Baker of Coshocton, Baker of Perry, Barnett, Baskin, Beach, Bell, Boyce, Case, Cole, Conklin, Eshelman, Geghan, Hatfield, Heitmann, Hill, Hoagland, Huston, Inman, Kemp, Lewis, McCloud, McCoy, McKinley, Moorehead, Murlin, Myers of Ashland, Nelson, Newell, Norton, Parker, Robb, Sater, Sheppard, Sherrick, Thompson of Montgomery, Van Meter, Walker, Weible, West and White—41.

So the motion was agreed to.

On motion of Mr. Grosvenor, H. B. No. 318, to vacate so much of the Hocking canal as lies eastward of the lock at the village of Chauncey, in Athens county, was read the third time.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 54, nays 19, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Armstrong of Guernsey, Baker of Coshocton, Baker of Fairfield, Bay, Bell, Blake, Boyce, Brooke, Case, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Eidson, Faxon, Geghan, Grosvenor, Haag, Heitmann, Herron, Holloway, Holt, Huston, Johnson, Kemp, Lewis, Mack, Mann, Martin, McLain, Miller, Munson, Myers of Fayette, Neff, Nelson, Newell, Norton, Parker, Pattison, Ramsay, Ray, Richmond, Robb, Sater, Scott, Stone, Thompson of Lucas, Tryon, Van Meter, Varley, Vincent, Walker and West—54.

Those who voted in the negative were—

Messrs. Beach, Cole, Cooley, Conkright, Eshelman, Hardy, Hatfield, Haven, Hill, Hoagland, Howland, Inman, Moorehead, Morris, Poe, Sheppard, Sherrick and Weible—19.

So the bill passed. The title was agreed to.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has concurred in House amendments to S. B. No. 9, to amend section 313 of the code of civil procedure, as amended May 2, 1871, and in House amendments to S. B. No. 30, for the prosecution and punishment of certain offenses therein named.

Attest: S. K. DONAVIN, *Clerk.*

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has concurred in the passage of H. B. No. 207, to change the time for holding the second term of the court of common pleas for the year 1874 for the county of Ashland.

Attest: S. K. DONAVIN, *Clerk.*

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has concurred in the passage of H. B. No. 90, to provide for the removal of the seat of justice of Mahoning county, Ohio, from the town of Canfield to the city of Youngstown, in said county, after amending the same as follows:

In line five of section 2, between the words "thereof" and "as," insert the following words: "and when suitable buildings shall have been erected."

Strike out all of section 5 after the word "donated," in line ten, and insert in place thereof the following words: "a lot or lots of land in the city of Youngstown, of sufficient size and suitably located to accommodate the court-house, jail and necessary offices for said county, and shall have erected thereon, or shall have caused to be erected and completed thereon, suitable buildings for a court-house, jail, and all offices and rooms necessary for the transaction of all the public business of said county, at a cost for said buildings of not less than one hundred thousand dollars, and to the satisfaction and acceptance of the commissioners of said county, and all such buildings shall be fully completed within two years from the date of the election at which this act shall be ratified; and said commissioners shall not, nor shall any other authority of said county, levy any tax on the taxable property of said county for said land or buildings: Provided, that the citizens of Youngstown may, within said two years, build said public buildings and tender the same to said county commissioners."

Strike out all of section 6, and renumber section 7 so that it shall be section 6, and renumber section 8 so that it shall be section 7.

Strike out the word "permanently," in fourth line of section 1.

In which the concurrence of the House of Representatives is requested.

Attest: S. K. DONAVIN, *Clerk.*

The question being on agreeing to the Senate amendments to said bill, the yeas and nays were ordered, and resulted—yeas 77, nays 4, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Armstrong of Guernsey, Baker of Coshocton, Barnett, Barrett, Baskin, Beach, Beatty, Bell, Blake, Boyce, Brooke, Case, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Cole, Conklin, Conkright, Eidson, Eshelman, Faxon, Gowey, Green, Grosvenor, Haag, Hardy, Harrison, Hatfield, Heitmann, Herron, Hoagland, Holloway,

Holt, Howland, Huston, Inman, Johnson, Kemp, Lewis, Light, Loomis, Mack, Mann, Martin, McCloud, McLain, Moorehead, Morris, Murlin, Myers of Ashland, Myers of Fayette, Neff, Nelson, Newell, Norton, Oren, Pattison, Pearson, Poe, Ramsay, Ray, Richmond, Robb, Sater, Sherrick, Stone, Thompson of Lucas, Thompson of Montgomery, Tryon, Van Meter, Varley, Vincent, Walker, Weible and West—77.

Messrs Hill, McCoy, McKinley and White voted in the negative.

So the amendments were agreed to.

On motion of Mr. Munson, H. B. No. 250 was taken from the table.

Mr. Munson moved to recommit said bill to a select committee of one, with instructions to amend as follows: Strike out all between the enacting clause and the word "are," in line twelve, and insert "That by virtue of their office the commissioners of any county having a population of more than eighteen thousand seven hundred, and less than nineteen thousand at the last Federal census."

Which was agreed to, and Mr. Munson appointed said committee.

Mr. Munson, on leave, submitted the following report:

The select committe of one to whom was referred H. B. No. 250, with instructions to amend, reports the same back, amended as instructed.

A. W. MUNSON.

Said bill was then ordered to be re-engrossed.

On motion of Mr. Heitmann, S. B. No. 70 was taken from the table.

On motion of Mr. Boyce, the vote ordering the bill to be re engrossed was reconsidered.

Mr. Howland then offered the following amendment to the bill: Insert in section 2, line thirteen, after the words "one mill," the words "and five-tenths."

Which was disagreed to.

Mr. Geghan moved to suspend the rule requiring a motion to reconsider the vo e on a bill to be made within two days.

Which was disagreed to.

Mr. Brunner moved to reconsider the vote by which the amendment offered by Mr. Howland was lost.

On which motion the yeas and nays were demanded, ordered, and resulted—yeas 29, nays 32, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Baker of Coshocton, Brooke, Brunner, Case, Cole, Eshelman, Hardy, Hoagland, Holt, Howland, Huston, Inman, Kemp, Mesloh, Miller, Morris, Murlin, Myers of Ashland, Nelson, Norton, Pearson, Poe, Ray, Robb, Sater, Thompson of Montgomery, Van Meter and Weible—29.

Those who voted in the negative were—

Messrs. Armstrong of Belmont, Baskin, Bell, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Conkright, Eidson, Faxon, Gowey, Grosvenor, Heitmann, Herron, Holloway, Johnson, Mack, Mann, Martin, McCoy, McLain, Myers of Fayette, Neff, Oren, Parker, Ramsay, Richmond, Scott, Stone, Thompson of Lucas, Varley, Vincent and Walker—32.

So the motion was disagreed to.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has agreed to the report of the committee of conference on House amendment to S B. No. 71, to amend the act entitled an act to

establish and maintain an agricultural and mechanical college in Ohio, passed March 22, 1870.

Attest: S. K. DONAVIN, *Clerk.*

Mr. White submitted the following report:

The committee of conference to whom was referred S. B. No. 71, having had the same under consideration, report it back, and recommend that the House recede from its amendments.

E. D. POTTER,
JOHN SEITZ,
S. KNOX,
Senate Committee.
WM. BELL, JR.,
T. J. WHITE,
House Committee.

I decline to concur. T. B. WILLIAMS.

The question being on agreeing to the report of the committe of conference, pending the discussion of which, on motion of Mr. Brunner, the House took a recess.

HALF-PAST TWO O'CLOCK P.M.

The House resumed the consideration of the report of the committee of conference on S. B. No. 71.

The question being on agreeing to the report of the committee of conference, the yeas and nays were ordered, and resulted—yeas 40, nays 40, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Baker of Fairfield, Barnett, Bell, Brooke, Brunner, Cole, Conklin, Eshelman, Geghan, Green, Haag, Hatfield, Heitmann, Hill, Hoagland, Huston, Inman, Kemp, Light, McCloud, McCoy, McKinley, Mesloh, Miller, Myers of Ashland, Newell, Poe, Ray, Richmond, Robb, Sater, Sheppard, Sherrick, Thompson of Montgomery, Van Meter, Weible, West, White and Speaker—40.

Those who voted in the negative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Baker of Coshocton, Baskin, Bay, Beach, Beatty, Blake, Boyce, Case, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Conkright, Eidson, Faxon, Harrison, Herron, Holloway, Holt, Howland, Johnson, Loomis, Mann, Martin, McLain, Moorehead, Morris, Munson, Myers of Fayette, Oren, Pattison, Ramsay, Scott, Stone, Thompson of Lucas, Varley, Vincent, Walker and Williams—40.

So the report was disagreed to.

Mr. Scott moved that the House insist on its amendments, and ask of the Senate another committee of conference.

Mr. Thompson of Lucas moved that the House recede from the second amendment to the bill.

On which motion the yeas and nays were demanded, ordered, and resulted—yeas 48, nays 34, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Baker of Coshocton, Baker of Fairfield, Barnett, Barret, Baskin, Bell, Boyce, Brunner, Case, Cole, Conklin, Eshelman, Geghan, Green, Haag, Hatfield, Heitmann, Hill, Hoagland, Huston, Inman, Kemp, Lewis, Light, McCloud, McCoy, McKinley, Mesloh, Miller, Moorehead, Myers of Ashland, Neff, Nelson, Newell, Parker, Ray, Richmond,

Robb, Sater, Sheppard, Sherrick, Thompson of Montgomery, Van Meter, Walker, Weible, West and White—48.

Those who voted in the negative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Bay, Beach, Beatty, Blake, Carnahan, Chapman of Cuyahoga, Conkright, Eidson, Faxon, Harrison, Herron, Holloway, Holt, Howland, Johnson, Loomis, Mann, Martin, McLain, Morris, Munson, Myers of Fayette, Oren, Pattison, Ramsay, Richards, Scott, Stone, Thompson of Lucas, Varley, Watson and Williams—34.

So the motion was disagreed to.

The question then recurred on the motion of Mr. Scott, to insist on its amendments and ask a committee of conference.

Which was agreed to.

Messrs. Baker of Fairfield, McCloud and Scott were appointed as said committee on the part of the House.

Mr. Scott asked to be excused from serving on said committee.

Which was agreed to; and Mr. Beatty was appointed to fill the vacancy.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has concurred in the passage of H. B. No. 214, to amend section 1 of an act entitled an act supplementary to an act entitled an act authorizing the appointment of metropolitan police commissioners in cities of the first class with a population less than one hundred thousand inhabitants at the last Federal census, passed April 5, 1866, as amended and supplemented April 7, 1868, and March 11, 1872, and to repeal an act therein named, passed March 29, 1873.

Attest: S. K. DONAVIN, *Clerk.*

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has concurred in the passage of H. B. No. 274, to authorize the citizens of the village of Leipsic, Putnam county, to hold a special election.

Attest: S. K. DONAVIN, *Clerk.*

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has concurred in the passage of H. B. No. 188, to amend section 2 of an act regulating the mode of administering assignments in trust for the benefit of creditors, passed and took effect April 6, 1859, after amending the same as follows:

"Section 2. That section 14 of said act be so amended as to read as follows:

"Section 14. That whenever a petition, properly verified, signed by creditors whose claims against the estate of the debtor amount to the sum of one thousand dollars or upwards, shall be filed in the probate court, praying for permission to elect an assignee or assignees of the estate of the debtor, it shall be the duty of the probate judge to cause printed or written notices to be served by mail or personally upon all creditors named in the schedule filed in said court, or whose names may be given to him by the debtor or any creditor, which notice shall specify the time when the creditors will meet at the office of said probate judge for such election; that on the day mentioned in said notice, if creditors representing fifty per centum or more of the debts of the assignor shall appear in person or

by attorney, said creditors may proceed to choose one or more assignees of the estate of the debtor; the choice to be made by the greater part in value and number of the creditors who are thus present at said meeting, which choice shall be subject to the approval of the court. The said choice or election shall be evidenced in writing, signed by the creditors so making the election, and filed with the court. Thereupon, if, within ten days, the assignee or assignees shall personally appear in said court, accept the trust, and give bond, as provided in the first section of this act, the said assignee or assignees shall succeed to all the rights and privileges, and be subject to all the duties and liabilities of any preceding assignee, and the rights, privileges and powers of any preceding assignee shall thereupon cease and determine. The court shall make and enforce all necessary orders to put the said assignee or assignees into possession of all property, moneys, rights or credits belonging to the assignor covered by the assignment. The assignee or assignees thus chosen and qualified shall have power, by suit in the court of common pleas or otherwise, to compel the delivery of all the property, moneys, rights and credits of the assignor covered by the assignment in the hands or under the control of the preceding assignee, and of all books and papers of the assignor, to them. The probate judge shall have the right, at any time, to remove any assignee for good cause and to appoint another in his stead, and to make and enforce all orders necessary to cause the property and effects to be delivered to the new trustee, and to require new undertakings, with additional sureties; and on application made by any surety or sureties of any assignee may, if satisfied of the reasonableness of such application, discharge such surety or sureties from further liability, and require that said trustee shall be removed or give new sureties."

Insert in section 3 of the bill, after the word "two," the words "and fourteen."

Renumber sections 2, 3 and 4 of the bill respectively 3, 4 and 5.

Insert in the title, after the word "two," "and fourteen," and after the figures "709," "712."

In which the concurrence of the House of Representatives is requested.

Attest: S. K. DONAVIN, *Clerk.*

The question being on agreeing to the Senate amendments, the yeas and nays were ordered, and resulted—yeas 74, nays 1, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Armstrong of Guernsey, Baker of Coshocton, Barnett, Barrett, Baskin, Beach, Beatty, Blake, Brooke, Brunner, Case, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Cole, Conklin, Conkright, Eidson, Eshelman, Faxon, Ford, Geghan, Green, Haag, Harrison, Hatfield, Heitmann, Herron, Hill, Hoagland, Holt, Huston, Inman, Johnson, Kemp, Lewis, Light, Loomis, Martin, McCloud, McCoy, McKinley, McLain, Mesloh, Miller, Moorehead, Morris, Munson, Myers of Ashland, Myers of Fayette, Neff, Nelson, Newell, Oren, Parker, Pearson, Ramsay, Ray, Richards, Richmond, Robb, Sater, Scott, Stone, Thompson of Lucas, Thompson of Montgomery, Van Meter, Varley, Vincent, Walker, Watson and Weible—74.

Mr. Bell voted in the negative.

So the amendments were agreed to.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has concurred in the passage of H. B. No. 268, to authorize

the commissioners of Wayne county to borrow money on the bonds of the county to discharge the existing liabilities of said county.

Attest: S. K. DONAVIN, *Clerk.*

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has passed the following bills, in which the concurrence of the House of Representatives is requested:

S. B. No. 132—By Mr. Fisher: To authorize the commissioners of the counties of Coshocton and Knox to build a bridge across the Mohican river, at or near the village of Rochester, in Tiverton township, Coshocton county.

S. B. No. 126—By Mr. Yeoman: To authorize certain incorporated companies to hold property and carry on business in any county in the State and beyond the limits thereof, and also to take stock in other companies.

Attest: S. K. DONAVIN, *Clerk.*

Said bills were read the first time.

On motion of Mr. Oren, the constitutional rule was dispensed with, and S. B. No. 126 read the second time by its title, and referred to the committee on Judiciary.

Mr. Neff submitted the following report:

The committee on Enrollment have examined, and found correctly enrolled, the following joint resolution:

H. J. R. No. 41: Requesting the Constitutional Convention to print report of joint committee on investigation.

B. NEFF, L. A. BRUNNER,
H. M. CHAPMAN, J. C. FISHER.
J. M. PATTISON, A. M. BURNS,
O. B. CHAPMAN, S. KNOX,
HENRY HARDY, M. C. LAWRENCE.

The Speaker, in the presence of the House, signed said resolution.

Mr. Pattison submitted the following report:

The joint committee on Enrollment have examined, and found correctly enrolled, the following bills and joint resolution:

S. B. No. 131: To create two election precincts in Put-in-Bay township, Ottawa county.

S. B. No. 47: Supplementary to an act entitled an act to exempt specific articles of personal property from execution, passed April 16, 1873.

S. B. No. 87: To amend sections 9 and 10 of an act entitled an act for the organization and government of municipal corporations, passed May 7, 1869.

S. J. R. No. 36: Rescinding S. J. R. No. 31.

J. C. FISHER, B. NEFF,
M. C. LAWRENCE, O. B. CHAPMAN,
S. KNOX, E. B. PARKER,
A. M. BURNS, HENRY HARDY,
J. M. PATTISON, H. M. CHAPMAN.

The Speaker, in the presence of the House, signed said bills and joint resolution.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has indefinitely postponed H. B. No. 104, to amend section 11 of an act for the reorganization and maintenance of common schools, passed May 1, 1873.

Also, H. J. R. No. 38, relating to the printing and binding of the report of the Ohio Horticultural Society.

Attest: S. K. DONAVIN, *Clerk.*

The House again resumed the consideration of S. B. No. 70.

Mr. Archer offered the following amendment:

In section 1, line 23, strike out "one hundred millions, five-tenths of a mill," and insert "one hundred and ten millions, a rate not exceeding seven-tenths of a mill."

A division of the question being demanded, the question then recurred on striking out "one hundred millions, five-tenths of a mill."

Which was agreed to.

The question then being on filling the blank with "one hundred and ten millions, a rate not exceeding seven-tenths of a mill," the yeas and nays were demanded, ordered, and resulted—yeas 44, nays 41, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Baker of Coshocton, Baskin, Beach, Bell, Boyce, Brooke, Case, Cole, Conklin, Eshelman, Geghan, Gordon, Hardy, Harrison, Hatfield, Heitmann, Hill, Holt, Huston, Inman, Kemp, Light, McCloud, McCoy, McKinley, Miller, Moorehead, Murlin, Myers of Ashland, Nelson, Norton, Parker, Pattison, Pearson, Poe, Robb, Sater, Sheppard, Sherrick, Thompson of Montgomery, Van Meter, Vincent and Weible—44.

Those who voted in the negative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Baker of Fairfield, Barnett, Barrett, Bay, Beatty, Blake, Brunner, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Conkright, Eidson, Faxon, Gowey, Herron, Hoagland, Holloway, Howland, Johnson, Loomis, Mann, Martin, McLain, Munson, Myers of Fayette, Neff, Newell, Oren, Ramsay, Ray, Richards, Richmond, Scott, Stone, Thompson of Lucas, Varley, Walker, White and Williams—41.

So the amendment was agreed to.

Mr. Harrison offered the following amendments:

Strike out in section 1, line 48, "eight-tenths of a," and insert "one."

In section 2, line 11, strike out "eight-tenths of one mill," and insert "one mill and one-tenth of one mill."

On which motion the yeas and nays were demanded, ordered, and resulted—yeas 16, nays 48, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Guernsey, Baker of Coshocton, Blake, Case, Cole, Light, McCoy, McLain, Murlin, Nelson, Pattison, Ramsay, Robb, Van Meter and Vincent—16.

Those who voted in the negative were—

Messrs. Armstrong of Belmont, Baker of Fairfield, Barrett, Baskin, Beach, Bell, Carnahan, Chapman of Cuyahoga, Conklin, Conkright, Eidson, Eshelman, Faxon, Geghan, Gowey, Green, Haag, Hatfield, Heitmann, Herron, Hill, Hoagland, Howland, Inman, Johnson, Mann, Martin, McCloud, Mesloh, Munson, Myers of Ashland, Myers of Fayette, Neff, Norton, Oren, Parker, Ray, Richmond, Scott, Sherrick, Thompson of Lucas, Thompson of Montgomery, Varley, Walker, Weible, West, White and Williams—48.

So the amendments were disagreed to.

Mr. Stone offered the following amendment:

In line 13, section 1, after the word "two," insert "and one-half."

Which was disagreed to.

Mr. Holloway offered the following amendment:

In line 11, section 2, strike out the words "eight-tenths of," and insert "one and five-tenths."

Which was disagreed to.

Mr. Blake offered the following amendment:

Strike out of line 13, section 2, the words "two-tenths," and insert "eight-tenths."

Which was disagreed to.

Mr. Holt offered the following amendment:

Strike out in section 1, line 21, after the word "exceeds," the following words: "seventy millions, and does not exceed one hundred millions, six tenths of a mill," and insert the following: "seventy-five millions, and does not exceed one hundred millions, not to exceed seven-tenths of a mill."

On which motion the yeas and nays were demanded, ordered, and resulted—yeas 25, nays 41, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Guernsey, Baker of Coshocton, Baskin, Beach, Blake, Case, Eshelman, Geghan, Hardy, Hatfield, Holt, Huston, McCoy, Miller, Moorehead, Nelson, Pattison, Pearson, Richards, Robb, Sater, Sheppard, Vincent and Weible—25.

Those who voted in the negative were—

Messrs. Armstrong of Belmont, Barnett, Barrett, Bay, Beatty, Brooke, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Cole, Conkright, Eidson, Faxon, Ford, Gowey, Harrison, Heitmann, Herron, Hill, Hoagland, Howland, Inman, Johnson, Mann, Martin, McKinley, McLain, Mesloh, Morris, Munson, Murlin, Myers of Ashland, Myers of Fayette, Neff, Oren, Parker, Ramsay, Richmond, Scott, Stone, Thompson of Lucas, Varley, Walker, West and Williams—41.

So the amendment was disagreed to.

Mr. Mann offered the following amendment:

Strike out in section 1, line 11, "two and eight-tenths mills," and insert "three and five-tenths mills."

Which was disagreed to.

The question then being on the engrossment of the bill, the yeas and nays were demanded, ordered, and resulted—yeas 49, nays 41, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Baker of Coshocton, Baker of Fairfield, Barnett, Baskin, Beach, Bell, Boyce, Brooke, Case, Cole, Conklin, Eshelman, Geghan, Gordon, Green, Haag, Hardy, Hatfield, Heitmann, Hill, Hoagland, Holt, Huston, Inman, Kemp, Light, McCloud, McCoy, McKinley, Mesloh, Miller, Moorehead, Murlin, Nelson, Norton, Parker, Pattison, Pearson, Robb, Sater, Sherrick, Van Meter, Vincent, Walker, Watson, Weible, West and Speaker—49.

Those who voted in the negative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Barrett, Beatty, Blake, Brunner, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Conkright, Eidson, Faxon, Ford, Gowey, Harrison, Herron, Holloway, Howland, Johnson, Loomis, Mann, Martin, McLain, Morris, Munson, Myers of Ashland, Myers of Fayette, Neff, Oren, Poe, Ramsay, Ray, Richards, Richmond, Scott, Stone, Thompson of Lucas, Thompson of Montgomery, Varley, White and Williams—41.

So the question of engrossment was agreed to.

Said bill was then ordered to be read the third time Wednesday next.

Mr. Archer moved to reconsider the vote by which H. B. No. 262 was ordered to be engrossed and set for third reading.

On which motion the yeas and nays were demanded, ordered, and resulted—yeas 53, nays 11, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Baker of Coshocton, Baker of Fairfield, Barnett, Barrett, Baskin, Bay, Beach, Bell, Brooke, Brunner, Case, Cole, Conklin, Conkright, Eidson, Eshelman, Geghan, Haag, Hardy, Heitmann, Herron, Hill, Holt, Howland, Huston, Inman, Johnson, Kemp, Light, McCloud, McCoy, McKinley, McLain, Mesloh, Miller, Moorehead, Murlin, Myers of Ashland, Myers of Fayette, Neff, Nelson, Norton, Oren, Ray, Richards, Richmond, Robb, Sater, Sherrick, Thompson of Montgomery, Varley, Vincent and Weible—53.

Those who voted in the negative were—

Messrs. Carnahan, Chapman of Meigs, Ford, Harrison, Holloway, McLain, Parker, Pattison, Ramsay, Scott and Walker—11.

So the motion was agreed to.

On motion of Mr. Archer, the vote by which the bill was recommitted to a select committee of one was reconsidered.

Mr. Archer then moved to lay the bill on the table until Tuesday next.

Which was agreed to.

The Speaker laid before the House a communication from the Attorney-General in answer to H. R. No. 91; which, on motion of Mr. Haag, was laid on the table and ordered to be printed.

Mr. Harrison moved to reconsider the vote by which H. B. No. 195 was lost on its passage.

Which was agreed to; and, on his motion, the bill was then laid on the table.

Mr. Poe asked and obtained leave to change his vote on the vote for entering on the Journal the minority report on H. B. No. 320.

Mr. Poe's name being called, he voted in the affirmative.

Mr. Boyce submitted the following report:

The committee on Revision have examined, and found correctly engrossed, House Bills Nos. 314, 279, 280, 310, 327, 304, 130, 342, 305, 284, 70, 320, 159, and amendments to S. B. No. 70.

Geo. W. Boyce,	Johnson Sherrick,
Orvil Blake,	E. B. Parker,
Jon. Morris,	William M. McKinley.

On motion of Mr. Johnson, H. B. No. 324, to authorize the commissioners of Scioto county to levy an additional tax, was read the third time.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 69, nays 5, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Guernsey, Baker of Coshocton, Baker of Fairfield, Barnett, Barrett, Bay, Beatty, Bell, Blake, Boyce, Brooke, Brunner, Case, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Cole, Conklin, Conkright, Eidson, Eshelman, Faxon, Ford, Geghan, Gowey, Gordon, Green, Hardy, Hatfield, Heitmann, Herron, Hill, Holloway, Howland, Huston, Johnson, Kemp, Light, Loomis, Mann, Martin, McCloud, McCoy, McKinley, McLain, Mesloh, Morris, Munson, Murlin, Myers of Ashland, Myers of Fayette, Neff, Nelson, Parker, Poe, Ramsay, Ray, Richards, Richmond, Robb, Scott, Sherrick, Stone, Thompson of Lucas, Van Meter, Varley, Weible and Williams—69.

Those who voted in the negative were—

Messrs. Baskin, Hoagland, Inman, Moorehead and Sater—5.

So the bill passed. The title was agreed to.

On motion of Mr. Scott, H. B. No. 342, to prevent the sale of intoxicating liquors at or near the Ohio Soldiers' and Sailors' Orphans' Home, was read the third time.

Mr. Scott moved to recommit said bill to a select committee of one, with instructions to amend as follows: Strike out the words "the 1st of May, 1874," and insert the words "on its passage."

Which was agreed to, and Mr. Scott appointed said committee, who, on leave, reported the bill back, amended as instructed.

The question then being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 76, nays 3, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Guernsey, Baker of Coshocton, Baker of Fairfield, Barnett, Barrett, Baskin, Bay, Beach, Beatty, Blake, Brooke, Brunner, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Cole, Conklin, Conkright, Eidson, Eshelman, Faxon, Ford, Gowey, Green, Hardy, Harrison, Herron, Hill, Hoagland, Holloway, Holt, Howland, Huston, Inman, Johnson, Loomis, Mann, Martin, McCloud, McCoy, McKinley, McLain, Miller, Moorehead, Morris, Munson, Murlin, Myers of Ashland, Myers of Fayette, Neff, Nelson, Norton, Oren, Pattison, Poe, Ramsay, Ray, Richards, Richmond, Robb, Sater, Scott, Sheppard, Sherrick, Stone, Thompson of Lucas, Thompson of Montgomery, Van Meter, Varley, Vincent, Watson, Weible, West, Williams and Speaker—76.

Messrs. Gordon, Heitmann and White voted in the negative.

So the bill passed. The title was agreed to.

On motion of Mr. Archer, H. B. No. 159, to amend section 14 of an act amendatory of and supplementary to an act entitled an act to provide for establishing an insurance department in the State of Ohio, passed April 26, 1873, was read the third time.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 66, nays 3, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Guernsey, Baker of Coshocton, Baker of Fairfield, Barnett, Beach, Bell, Blake, Boyce, Brooke, Carnahan, Chapman of Cuyahoga, Cole, Conkright, Eidson, Eshelman, Faxon, Geghan, Green, Hardy, Hatfield, Heitmann, Herron, Hill, Hoagland, Holt, Howland, Huston, Inman, Johnson, Kemp, Loomis, Mann, Martin, McKinley, Mesloh, Miller, Moorehead, Morris, Munson, Murlin, Myers of Ashland, Myers of Fayette, Neff, Nelson, Norton, Pattison, Pearson, Poe, Ramsay, Ray, Richards, Robb, Scott, Sheppard, Sherrick, Thompson of Lucas, Thompson of Montgomery, Van Meter, Varley, Vincent, Watson, Weible, West, White and Williams—66.

Messrs. Baskin, Brunner and McLain voted in the negative.

So the bill passed. The title was agreed to.

The Speaker appointed as the committee on H. R. No. 96 Messrs. Brunner, Case and Ford.

Mr. Pattison submitted the following report:

The joint committee on Enrollment have examined, and found correctly enrolled, the following bill:

H. B. No. 214: Supplementary to an act entitled an act supplementary to an act entitled an act authorizing the appointment of metropolitan police commissioners in cities of the first class with a population less

than 100,000 inhabitants at the last Federal census, passed April 5, 1866, as amended and supplemented April 7, 1868, and March 11, 1872, and to repeal an act therein named, passed March 29, 1873.

J. M. PATTISON, B. NEFF,
L. A. BRUNNER, O. B. CHAPMAN.

The Speaker, in the presence of the House, signed said bill.

Mr. Thompson of Lucas offered for adoption the following resolution:

H. J. R. No. 43: *Resolved by the General Assembly of the State of Ohio*, That when we adjourn to-morrow (Saturday, April 4) it be until half-past 2 o'clock on Wednesday, April 8; that we do this for the purpose of attending the April elections, and also for the purpose of accepting the invitation of the Hon. George H. Pendleton to attend the "Anniversary of the State of Ohio," at Cincinnati, April 7th, and that during the time of this adjournment no per diem shall be paid to any Senator or to any member of the House of Representatives.

Mr. McCoy gave notice of a desire to discuss said resolution; so, under the rule, it was laid on the table.

On motion of Mr. Norton, the House adjourned.

Attest: THOMAS COUGHLIN, *Clerk.*

SATURDAY, APRIL 4, 1874—10 o'clock A.M.

The House met pursuant to adjournment.

Prayer by Rev. R. R. McNulty.

The Journal of Wednesday, Thursday and Friday was read and approved.

The following bill was introduced on leave, and read the first time:

H. B. No. 344—By Mr. Armstrong of Guernsey: To authorize the board of education of the school district composed of the town of Cambridge, in Guernsey county, to issue bonds to pay an existing indebtedness, and levy a tax to pay the same.

On motion of Mr. Armstrong of Guernsey, the constitutional rule was dispensed with, and the bill read the second time by its title, and referred to the committee on Common Schools and School Lands.

The following bills were introduced on leave, and read the first time:

H. B. No. 345—By Mr. McCoy: To provide for the reclamation and sale of certain lands granted to the State of Ohio by the United States and by individuals, and for the survey and sale of other lands in said State which have been or may hereafter be granted to this State in order to provide for the better support of the Ohio Agricultural and Mechanical College.

H. B. No. 346—By Mr. Ramsay: To authorize the trustees of Scott township, Adams county, to levy a tax and build a foot-bridge across Buck Run, in said township.

On motion of Mr. Ramsay, the constitutional rule was dispensed with, and the bill read the second time by its title, and referred to the committee on New Counties and County Affairs.

Mr. Green presented the petition of David Robbins and 159 other citizens of Shelby county, remonstrating against any law or amendment to any section of the law that will in any wise impair or weaken any of the statutes now in force which provide against the evils resulting from the

sale of intoxicating liquors in the State of Ohio, passed May 1, 1854, and especially sections 7 and 10, passed April 18, 1870, called the Adair law.

Which was referred to the committee on Temperance.

Mr. Bay presented the petition of John T. Rapes and 73 other citizens of Vinton county, asking the passage of H. B. No. 203, to provide for the appointment of a commission to prepare text books for use in our common schools.

Which was referred to the committee of the Whole House.

Mr. Moorehead presented the petition of Richard S. Hogan and 38 other citizens of Muskingum county, for the repeal of certain acts therein named, and authority to apply funds authorized under said acts to the erection of a court-house in said county.

Which was referred to the committee on New Counties and County Affairs.

The following bills were read the second time:

S. B. No. 132: To authorize the commissioners of the counties of Coshocton and Knox to build a bridge across the Mohican river, at or near the village of Rochester, in Tiverton township, Coshocton county.

Referred to the committee on New Counties and County Affairs.

H. B. No. 331: To amend section 1 of an act entitled an act to regulate the platting of lands and laying out of streets in municipal corporations, passed March 13, 1871.

Referred to the committee on Municipal Corporations.

H. B. No. 332—By Mr. Blake: To authorize the trustees of Mantua township, Portage county, Ohio, to levy a tax for certain purposes therein named.

Referred to the committee on Corporations other than Municipal.

On motion of Mr. Pattison, H. B. No. 314 was taken from the table.

Mr. Myers of Ashland moved to recommit said bill to a select committee of one, with instructions to amend as follows:

Strike out all after the word "trustees," in line 12, and all in line 13, section 1, up to the word "under," and insert therefor the word "shall."

In line 32, section 1, strike out the word "will," and insert therefor the word "shall."

Which was agreed to; and Mr. Myers of Ashland appointed said committee, who, on leave, reported the bill back, amended as instructed.

Mr. Miller moved to recommit said bill, with instructions to amend as follows:

Strike out all after the word "literary," in line 30. Strike out lines 31, 32, 33, and 34.

Which was disagreed to.

Said bill was then ordered to be engrossed, and read the third time Tuesday next.

Leave of absence until Tuesday next was granted Mr. Barnett.

Mr. Howland, on leave, submitted the following report:

The committee on the Judiciary, to whom was referred S. B. No. 126, to authorize certain incorporated companies to hold property and carry on business in any county in the State and beyond the limits thereof, and also to take stock in other companies, having had the same under consideration, report it back, and recommend its passage.

J. M. Haag, W. P. Howland,
Wm. W. Beatty, T. M. Robb.
J. M. Pattison,

On motion of Mr. Howland, said bill was then read the third time.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 57, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Belmont, Baker of Coshocton, Baker of Fairfield, Baskin, Bay, Beach, Bell, Blake, Boyce, Brooke, Brunner, Case, Carnahan, Chapman of Meigs, Cole, Conklin, Eshelman, Faxon, Ford, Gowey, Green, Haag, Hardy, Harrison, Hatfield, Heitmann, Hill, Holloway, Howland, Inman, Johnson, Kemp, Light, Loomis, Mann, McCloud, McCoy, McKinley, Mesloh, Miller, Moorehead, Murlin, Myers of Ashland, Parker, Pattison, Ramsay, Richards, Robb, Sherrick, Thompson of Montgomery, Van Meter, Varley, Vincent, Watson, Weible, West and Williams—57.

So the bill passed. The title was agreed to.

Mr. Baskin submitted the following report:

The committee on Railroads and Telegraphs, to whom was referred S. B. No. 72, to provide for the distribution of unclaimed freight and express packages, and to amend an act entitled an act providing for the disposition of unclaimed freight and express packages, passed April 16, 1867, having had the same under consideration, report it back, with the following amendments, and recommend that the bill, as amended, be passed.

In section 3, line 11, after the word "found," insert the words "in the county where such property is."

In line 13, same section, after the word "act," insert the words "as in case the owner is unknown, or is a non-resident of the county, or his place of residence is unknown, by publication for not less than ten days in some newspaper of general circulation in such county."

Strike out the words "or at any other time," in line 13, same section.

THOS. H. BASKIN, T. B. WILLIAMS,
J. N. OREN, M. A. HOAGLAND.

The amendments were agreed to; and said bill ordered to be engrossed, and read the third time Wednesday next.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has passed the following bill, in which the concurrence of the House of Representatives is requested:

S. B. No. 144—By Mr. Jones: To authorize the board of education of the special school district of Mineral Ridge, Trumbull county, to borrow money and issue bonds therefor.

Attest: S. K. DONAVIN, *Clerk.*

Said bill was read the first time.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The following bills have been introduced in the Senate and read the first time:

S. B. No. 157—By Mr. Potter: To amend an act to create a permanent agricultural fund in the State of Ohio, and for other purposes, passed February 8, 1847. (S. & C., p. 64.)

S. B. No. 158—By Mr. Reid: To enable incorporated companies for mining or manufacturing purposes to construct switches or turn-outs from the tracks of railroad lines.

Attest: S. K. DONAVIN, *Clerk.*

Mr. Holloway, on leave, presented the petition of Richard Farmer and

51 other citizens of Columbiana county, asking for the passage of H. B. No. 203.

Which was referred to the committee of the Whole House.

Mr. Miller submitted the following report:

The committee on Municipal Corporations, to whom was referred S. B. No. 69, having had the same under consideration, report it back, and recommend that it be engrossed and passed.

E. W. Miller, G. H. Eidson,
Wm. Bell, Jr., Milt. McCoy.

Said bill was ordered to be engrossed, and read the third time Tuesday next.

Mr. Robb submitted the following report:

The committee on Judiciary, to whom was referred H. B. No. 329, to relieve sureties of executors and administrators, and to punish them for certain offenses therein named, having had the same under consideration, report it back, with the following amendments, and recommend that it be engrossed and passed.

In line 12, after the word "surety," add the words "shall be liable only."

In line 13, after the word "bond," add the words: "Provided, that the costs of such release shall be paid by the surety applying to be released, unless it shall appear to the court that the administrator or executor is insolvent, incompetent, or is wasting the assets of the estate."

After line 13 insert: "Section 3. An act entitled an act to relieve sureties of executors and administrators, passed and took effect March 22, 1861, be and the same is hereby repealed."

In line 14 strike out "3," and insert "4."

T. M. Robb, J. M. Pattison,
J. M. Haag, C. C. Archer,
C. H. Grosvenor, Wm. W. Beatty.
J. Scott,

The amendments were agreed to; and said bill was ordered to be engrossed, and read the third time Tuesday next.

On motion of Mr. Haag, the bills on the calendar for third reading were postponed until Tuesday next.

The following bill was introduced and read the first time:

H. B. No. 347—By Mr. Thompson of Montgomery: To authorize the citizens of the village of Brockville, Montgomery county, to hold a special election.

Mr. Kemp submitted the following report:

The committee on Public Buildings, to whom was referred H. R. No. 90, having had the same under consideration, report it back without recommendation.

J. Kemp, R. Ramsay,
T. J. White, Joseph Carnahan.
J. A. Moorehead,

On motion of Mr. Faxon, the resolution was laid on the table.

On motion of Mr. Faxon, the constitutional rule was dispensed with, and S. B. No. 144 was taken from the table and read the second time by its title, and referred to the committee on Common Schools and School Lands.

On motion of Mr. Eshelman, the House adjourned.

Attest: THOMAS COUGHLIN, *Clerk.*

MONDAY, APRIL 6, 1874—10 o'clock A.M.

The House met pursuant to adjournment.
Prayer by Rev. Mr. Ramsay.
Mr. Harrison demanded a call of the House.
On motion of Mr. McCoy, the House adjourned.

Attest: THOMAS COUGHLIN, *Clerk.*

TUESDAY, APRIL 7, 1874—10 o'clock A.M.

The House met pursuant to adjournment.

Mr. Archer moved that the House take a recess until half-past two o'clock P.M. to morrow.

On which motion the yeas and nays were demanded, ordered, and resulted—yeas 35, nays 17, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Baker of Coshocton, Baker of Perry, Blake, Case, Chapman of Cuyahoga, Chapman of Meigs, Cooley, Eshelman, Faxon, Ford, Gowey, Grosvenor, Hatfield, Heitmann, Holloway, Johnson, Lewis, Mann, McCloud, McCoy, McLain, Moorehead, Munson, Myers of Ashland, Norton, Poe, Richards, Robb, Sherrick, Thompson of Lucas, Tryon, Van Meter, Williams and Speaker—35.

Those who voted in the negative were—

Messrs. Baker of Fairfield, Bay, Carnahan, Cole, Conklin, Conkright, Green, Hardy, Harrison, Herron, Hoagland, Loomis, Mack, McKinley, Ramsay, Varley and Vincent—17.

So the motion was agreed to; and the House took a recess until half-past two o'clock P.M. to-morrow.

WEDNESDAY, APRIL 8, 1874—2½ o'clock P.M.

The House met pursuant to recess.

Prayer by Rev. Orvil Blake, member from Portage county.

The Journal of Saturday was read and approved.

Mr. Blake presented the memorial of C. B. White and 52 other citizens of Mantua, Portage county, praying that the trustees of Mantua township be empowered to build a vault and purchase a hearse and build a hearse-house.

Which was referred to the committee on Municipal Corporations.

Mr. McLain presented the petition of O. P. Laird and 17 other citizens of Trumbull county, for the passage of H. B. No. 203.

Which was referred to the committee of the Whole.

Mr. Thompson of Montgomery presented the petition of J. R. Smith and 55 other citizens of Brookville, Montgomery county, for an act to hold a special election.

Which was referred to the committee on Privileges and Elections.

The following bills were read the second time:

H. B. No. 337: To authorize the commissioners of Hamilton county, Ohio, to make a cut for the purpose of straightening a bend in Mill creek.

Referred to the committee on Ditches, Drains and Water-courses.

H. B. No. 338: To amend sections 211, 212 and 213 of an act entitled an act to establish a code of criminal procedure for the State of Ohio, passed May 6, 1869.

Referred to the committee on Judiciary.

H. B. No. 339: To amend an act entitled an act to amend an act passed and took effect April 5, A.D. 1859.

Referred to the committee on Judiciary.

S. B. No. 130, supplementary to an act passed April 30, 1869, entitled an act to amend section 4 of an act entitled an act for opening and regulating roads and highways, passed January 27, 1853, was read the third time.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 58, nays 1, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Bay, Beach, Beatty, Blake, Boyce, Brooke, Case, Carnahan, Chapman of Meigs, Cole, Cooley, Conklin, Eshelman, Harrison, Haven, Heitmann, Herron, Hill, Hoagland, Hodge, Huston, Inman, Johnson, Lewis, Loomis, Marx, Martin, McCloud, McCoy, McLain, Mesloh, Moorehead, Myers of Ashland, Myers of Fayette, Neff, Nelson, Newton, Oren, Pearson, Ramsay, Richmond, Robb, Sater, Scott, Sheppard, Thompson of Lucas, Thompson of Montgomery, Van Meter, Varley, Vincent, Walker and Watson—58.

Mr. Bell voted in the negative.

So the bill passed. The title was agreed to.

On motion of Mr. Scott, the third reading of H. B. No. 183 was informally passed.

H. B. No. 111, to provide for the organization, supervision and maintenance of separate schools for colored youth, was read the third time.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 24, nays 29, as follows:

Those who voted in the affirmative were—

Messrs. Bay, Blake, Carnahan, Cooley, Haven, Herron, Hodge, Holt, Johnson, Loomis, Mack, Marx, Martin, McLain, Myers of Fayette, Nelson, Newton, Oren, Ramsay, Richmond, Scott, Thompson of Lucas, Varley and Vincent—24.

Those who voted in the negative were—

Messrs. Archer, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Beach, Beatty, Bell, Boyce, Case, Cole, Conklin, Eshelman, Green, Harrison, Hill, Hoagland, Huston, McCloud, McKinley, Moorehead, Myers of Ashland, Neff, Norton, Robb, Sater, Sheppard, Thompson of Montgomery, and Walker—29.

So the bill failed to pass.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has acceded to the request of the House of Representatives for a second committee of conference on House amendments to S. B. No. 71, to amend the act entitled an act to establish and maintain an agricultural and mechanical college in Ohio, passed March 22, 1870.

The President has appointed Messrs. Curtiss, Andrews and Tressler such committee on the part of the Senate.

Attest: S. K. DONAVIN, *Clerk.*

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has agreed to the report of the committee of conference on Senate amendments to H. B. No. 144, to amend sections 2 and 4 of an act entitled an act to amend sections 1, 2, 4, 5, 6 and 11 of an act entitled an act to authorize county commissioners to construct roads on a petition of a majority of the resident land-owners along and adjacent to the line of said road, and to repeal an act therein named, passed March 29, 1868.

Attest: S. K. DONAVIN, *Clerk.*

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has concurred in the passage of H. B. No. 165, to create original fractional township eight (8), north, range twelve (12), east, in Wood county, Ohio, and the part of township three (3), United States Reserve, lying west of and between said township eight and Maumee river, into a separate civil township, after amending the same as follows: In section 1, line 10, after the word "township," insert the following amendment: "subject, however, to their pro rata shares of the present indebtedness of Perrysburg township."

Attest: S. K. DONAVIN, *Clerk.*

The question being on agreeing to the Senate amendments to said bill, the yeas and nays were ordered, and resulted—yeas 61, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Bay, Beach, Beatty, Bell, Blake, Boyce, Brooke, Case, Carnahan, Chapman of Meigs, Cole, Cooley, Conklin, Eshelman, Green, Haag, Harrison, Haven, Herron, Hill, Hoagland, Hodge, Holt, Huston, Inman, Johnson, Lewis, Loomis, Mack, Marx, McCloud, McCoy, McLain, Mesloh, Moorehead, Morris, Myers of Ashland, Myers of Fayette, Neff, Nelson, Newton, Norton, Oren, Ramsay, Richmond, Robb, Sater, Sheppard, Sherrick, Thompson of Lucas, Thompson of Montgomery, Tryon, Van Meter, Vincent, Walker, Watson and Speaker—61.

So the amendments were agreed to.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has concurred in House amendments to S. B. No. 108, to amend sections 26 and 161 of an act entitled an act to provide for the settlement of the estates of deceased persons, passed March 23, 1840.

Attest: S. K. DONAVIN, *Clerk.*

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has adopted the following joint resolution, in which the concurrence of the House of Representatives is requested:

S. J. R. No. 44—By Mr. Newman: Directing the binding of the Railroad Commissioner's report.

Attest: S. K. DONAVIN, *Clerk.*

The question being on the adoption of said joint resolution, the yeas and nays were ordered, and resulted—yeas 42, nays 14, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Beach, Bell, Blake, Boyce, Brooke, Case, Chapman of Meigs, Cole, Cooley, Eshelman, Green, Harrison, Heitmann, Inman, Johnson, Lewis, Loomis, Marx, Martin, McCloud, McCoy, McKinley, McLain, Mesloh, Moorehead, Morris, Myers of Ashland, Neff, Nelson, Newton, Oren, Ramsay, Richmond, Robb, Thompson of Lucas, and Van Meter—42.

Those who voted in the negative were—

Messrs. Bay, Beatty, Carnahan, Conklin, Haven, Herron, Huston, Scott, Sheppard, Sherrick, Thompson of Montgomery, Varley, Vincent and Walker—14.

So the resolution was not adopted.

On motion of Mr. Scott, the vote by which said resolution was lost was reconsidered, and, on his motion, committed to the committee on Public Printing.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has concurred in the passage of H. B. No. 222, to amend an act entitled an act limiting the compensation of certain officers therein named, passed April 6, 1870, and repealing section 1 of said act, and to amend section 5 of said act, as amended by an act entitled an act to amend an act limiting the compensation of certain officers therein named, passed February 14, 1873, and repealing said section 5.

Attest: S. K. DONAVIN, *Clerk.*

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has concurred in the passage of H. B. No. 175, making appropriations for the fiscal year 1874, and the first quarter of the fiscal year 1875, after amending the same as follows:

Section 1, line 14, after the word "thousand," insert the words "four hundred."

Between lines 21 and 22 insert the words "For expenses of collecting Comptroller's drafts on county treasurers, "five hundred dollars."

In line thirty-two strike out the words "five thousand seven hundred," and insert "six thousand."

In line 38 strike out the words "twenty-six," and insert "thirty-three."

Add after line 43 the following words: "For paving Broad street, and making walks in grounds, six hundred dollars. For gas for lamps on gate-posts, three hundred and fifty dollars."

Add after line 46 the words, "For salary of reporter of supreme court, "one thousand dollars."

In lines 52 and 53 strike out the words "twelve dollars and fifty cents," and insert "twenty-five dollars."

Strike out all of lines 55, 56, 57 and 58, and insert the words, "extra clerical services, one hundred and fifty dollars. For use under act of May 5, 1873, two hundred and fifty dollars."

Strike out lines 62, 63 and 64, and insert the following:

"For preparing for publication, engraving, printing, binding and publishing parts 1 and 2 of the second volume of the report of the geological survey of the State, sixty thousand dollars, to be expended under the direction and supervision of the Supervisor of Printing and Secretary of State; and the Secretary of State is hereby authorized to purchase a

sufficient supply of super-royal paper to provide fly-leaves for said volume two of said report, to be paid for out of this appropriation."

In line 68 strike out the word "one," and insert "two."

Add after line 68, and before line 69, the following words: "For preparing catalogue of State library, under act of April 17, 1872, one thousand dollars for extra clerical force, in addition to the librarian and assistant librarian, if the same shall become necessary, in order to complete the catalogue of the library within the period of one year from the passage of this act."

Strike out in line 71 the words "salary of engineer," and insert the words "salaries of resident engineers."

Add after line 72, and before line 73, the following words: "For the payment in full of a claim of N. W. Goodhue, for attorney's fees for services rendered for the Board of Public Works in the years 1856–7–8–9, and 1860, by the firm of Nash & Goodhue, two hundred and thirty-nine dollars."

Strike out all of line 73.

Strike out all of lines 78, 79, 80, 81, 82, 83 and 84.

Insert in place of lines 78 and 79 the following words: "For expenses in ascertaining and locating lands as required by act of April 29, 1872, fourteen hundred and ninety dollars, said amount to be reimbursed to the treasury from the proceeds arising from the sale of said lands."

Insert after line 79, "For expenses of survey of lands near the Lewistown reservoir, under resolution of the session of 1870, directing the Board of Public Works to appropriate and condemn as easement for the use of the State the right to flood certain lands near the Lewistown reservoir, two hundred and ninety-five dollars."

Strike out lines 89 and 90.

Strike out lines 91 and 92.

After line 95 insert the following: "For additions to and repair of apparatus, two hundred dollars, to be paid from amount collected from gas companies in pursuance of law."

In line 100 strike out "five," and insert "eight."

In line 108 strike out the words "one hundred and twenty-five," and insert two hundred."

Add after line 108, and before line 109 the following words: "For salary of Mine Inspector, two thousand dollars. For the purchase of instruments and chemicals for the use of the office of the Mine Inspector, and for contingent expenses, five hundred dollars. For the mileage and per diem of members, and per diem of officers and messengers of the Constitutional Convention, and for printing and contingent expenses, to be paid on the certificate of the presiding officer of the Convention, sixty thousand dollars."

In line 116 strike out the words "twenty thousand four hundred," and insert the words "twenty-three thousand two hundred."

In line 119 strike out the words "one hundred and six thousand six hundred and fifty," and insert the words "one hundred and seventeen thousand."

In line 120 strike out the words "one thousand," and insert "eighteen hundred and fifty."

Strike out lines 121, 122, 123, 124, and the words to and including "dollars," in line 125.

After line 129, and before line 130, add the following words: "For payment of phonographic reporter, under Senate resolution, passed March

16, 1874, two hundred and fifty dollars. For the contingent expenses of the General Assembly, upon vouchers certified by the chairman of the committee on Claims, and approved by the presiding officers of the respective houses, one thousand dollars. For contingent expenses of the Clerk of the Senate after the adjournment of the Legislature, fifty dollars; and for contingent expenses of the Clerk of the House after the adjournment of the Legislature, fifty dollars."

Add to the end of section 1 the following: "To pay veteran volunteers under the act of May 16, 1868, four hundred dollars.

"To pay the expenses of the committee appointed in pursuance of Senate resolution No. 34, directing inquiry into the management of the public works, two thousand five hundred dollars, to be paid upon the order of the chairman of said committee."

Section 2. In line thirteen strike out the word "eight" and insert "six." Add after line thirteen, and before line fourteen, the following words: "For ordinary repairs, two thousand dollars." In line twenty-one strike out the words "and thirty-four."

Insert after line twenty-eight the following: "For building gas-works, sixteen thousand dollars; and the board of trustees are hereby required and directed to proceed, on the passage of this act, to contract, in the manner provided by law for other structures, for the erection and completion of such works for said asylum."

"Section 2 of the act entitled an act to provide for the rebuilding of the Northern Ohio Lunatic Asylum, passed March 18, 1873, is hereby repealed."

Strike out lines twenty-nine, thirty, thirty-one and thirty-two. Strike out in lines fifty-four and fifty five the words "sixty thousand seven hundred and fifty," and insert the words "sixty-three thousand five hundred."

After line fifty-five add the following: "For building a kitchen for hospital building, and preparing said building for use as a ward of the asylum, two thousand dollars, said building to be used as a ward of said hospital as soon as said improvements are completed."

Strike out all of lines fifty-six and fifty-seven. In line sixty-seven, after the word "contract," insert the following words: "in addition to unexpended balances of former appropriations."

In line sixty-seven strike out the words "one hundred and twenty-five," and insert the word "fifty." In line sixty-eight strike out "trustee," and insert "commissioners under the act passed May 24, 1874." In lines eighty-six and eighty-seven strike out the words "two thousand four hundred and fifty," and insert the words "eleven thousand three hundred and fifty-two."

Add after line ninety-nine, and before one hundred, the words "For finishing new building, seventeen thousand dollars." In lines 109 and 110 strike out "fifty one," and insert "forty." Strike out line 115. In line 116 strike out the words "five thousand," and insert the words "two thousand five hundred." Add after line 119 the following: "For payment of officers, teachers and cottage managers, seven thousand five hundred dollars." Strike out lines 122 and 123. Strike out line 126.

After line 130 insert the following: "Provided, that the board of trustees and the superintendent are hereby authorized to erect piazzas to the new cottages of said home of the same pattern as those completed, and a suitable coal house for the use of said home, at a cost for both purposes not to exceed twenty-eight hundred dollars, out of the appropriation herein made for current expenses and the appropriation heretofore made for current expenses in the year 1873, now unexpended, if in their judg-

ment the same can be done without causing a deficiency in the appropriation for current expense account, and the unexpended balance of said account for 1873."

In line 149 strike out "ten thousand," and insert "nine thousand nine hundred and ninety-nine." Between lines 155 and 156 insert the words "For erection of central building, twenty-five thousand dollars."

Add after line 159 the following: "For salaries of commissioners of Central Lunatic Asylum, three thousand dollars."

Add to the end of section 2 the following: "For the payment of printing, stationery and necessary expenses incurred by the commissioners appointed by the Governor to look after the improvement of the Ohio river, two thousand dollars, or so much thereof as may be necessary, to be paid upon vouchers certified to by a majority of said commissioners, the said vouchers to be filed in the office of the Auditor of State, and approved by him."

Section 6 Strike out in lines twelve, thirteen and fourteen the following words: "or from the funds of any State institution or board, or from any appropriation made from the treasury," and insert "except that the clerk for the commissioners of the sinking fund may serve and receive compensation as clerk for the Attorney General."

In which amendments the concurrence of the House of Representatives is requested.

Attest: S. K. DONAVIN, *Clerk.*

On motion of Mr. Scott, said bill and pending amendments were referred to the committee on Finance.

H. B. No. 279, to authorize the Board of Public Works to construct a culvert across the National road, in Deercreek township, Madison county, Ohio, was read the third time.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 43, nays 13, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Baker of Coshocton, Baker of Fairfield, Beach, Bell, Blake, Boyce, Brooke, Case, Chapman of Meigs, Cole, Coler, Eshelman, Green, Harrison, Heitmann, Herron, Hill, Hoagland, Hodge, Holt, Inman, Johnson, Lewis, Martin, McCloud, McCoy, McKinley, McLain, Mesloh, Moorehead, Myers of Ashland, Myers of Fayette, Nelson, Newton, Norton, Oren, Pearson, Ramsay, Robb, Sherrick, Thompson of Montgomery, and Van Meter—43.

Those who voted in the negative were—

Messrs. Armstrong of Belmont, Barnett, Bay, Beatty, Conklin, Haven, Mack, Marx, Neff, Thompson of Lucas, Varley, Vincent and Walker—13.

So the bill, not having received a constitutional majority, was lost.

On motion of Mr. Boyce, the third reading of H B. No. 284 was postponed until to-morrow.

H. B. No. 280, for the consolidation of sub-school districts numbers five and six, in Rumley township, Harrison county, Ohio, into one sub-school district, to be known as sub-school district number five, was read the third time.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 54, nays 5, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Baker of Coshocton, Baker of Fairfield, Barnett, Bay, Beach, Beatty, Bell, Blake, Boyce, Brooke, Carnahan, Chapman of Meigs, Cole, Cooley, Conklin, Eshelman, Green, Har-

rison, Haven, Heitmann, Herron, Hill, Hodge, Holt, Huston, Johnson, Lewis, Loomis, Mack, Martin, McCloud, McCoy, McKinley, McLain, Mesloh, Moorehead, Morris, Myers of Ashland, Myers of Fayette, Neff, Norton, Oren, Pearson, Ramsay, Richmond, Robb, Sater, Scott, Thompson of Montgomery, Van Meter, Varley and Vincent—54.

Those who voted in the negative were—

Messrs. Case, Hoagland, Inman, Kemp and Nelson—5.

So the bill passed. The title was agreed to.

On motion of Mr. Myers of Ashland, the third reading of H. B. No. 304 was postponed until Friday next.

On motions made by Messrs. Archer, Boyce, McCloud, and Varley, the third reading of House Bills Nos. 305, 310, 314, 320, and 70 was postponed until to-morrow.

Mr. Heitmann submitted the following report:

The committee on Judiciary, to whom was referred H. B. No. 343, to change the time fixed for holding the second term of the court of common pleas for the year 1874 in the county of Auglaize, having had the same under consideration, report it back, and recommend its engrossment and passage.

J. H. Heitmann, C. C. Archer,
T. M. Robb, J. Scott,
J. M. Haag, Wm. W. Beatty.

Said bill was then ordered to be read the third time now.

The question then being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 64, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Bay, Beach, Beatty, Bell, Blake, Boyce, Brooke, Carnahan, Chapman of Meigs, Cole, Cooley, Conklin, Eshelman, Green, Haag, Harrison, Haven, Heitmann, Herron, Hill, Hoagland, Hodge, Holt, Huston, Inman, Johnson, Kemp, Lewis, Mack, Marx, McCloud, McCoy, McKinley, McLain, Mesloh, Moorehead, Morris, Myers of Ashland, Myers of Fayette, Neff, Nelson, Newton, Norton, Oren, Pearson, Ramsay, Ray, Richmond, Robb, Sater, Scott, Sheppard, Thompson of Lucas, Thompson of Montgomery, Van Meter, Varley, Vincent, Walker and Watson—64.

So the bill passed. The title was agreed to.

Mr. Huston submitted the following report:

The committee on Corporations other than Municipal, to whom was referred H. B. No. 180, to amend section 5 of an act entitled an act to enable associations of persons to raise funds to be loaned among their members for building homesteads, and for other purposes, to become a body corporate, passed May 5, 1868, having had the same under consideration, report it back without recommendation.

Paul A. J Huston, Wm. Van Meter,
W. P. Howland, J. H. Faxon,
Edward Brooke, J. M. Poe.

On motion of Mr. McCoy, said bill was laid on the table.

Mr. Lewis submitted the following report:

The committee on Insane Asylums, to whom was referred S. J. R. No. 37, appropriating money to Mary and Ellen Waters, having had the same under consideration, report it back, and recommend that it be passed.

Edward C. Lewis, J. A. Norton,
Samuel Herron, Robert Barnett,
J. F. Gowey, Jacob Kemp.

On motion of Mr. Lewis, the further consideration of said resolution was postponed until Friday next.

On motion of Mr. Baker of Coshocton, the committee on New Counties and County Affairs was discharged from the further consideration of H. B No. 132, and the same was committed to the committee on Roads and Highways.

Mr. Hodge, on leave, presented the petition of H. J. Herrick, M.D., of Cleveland, and 23 other physicians of Cuyahoga county, asking for the passage of a law to protect surgeons and physicians from unjust and malicious prosecutions for alleged malpractice.

Which was referred to the committee on Medical Colleges and Societies.

Leave of absence for the balance of the week was granted Mr. Baker of Coshocton.

On motion of Mr. Thompson of Lucas, the House adjourned.

Attest: THOMAS COUGHLIN, *Clerk.*

THURSDAY, APRIL 9, 1874—10 o'clock A.M.

The House met pursuant to adjournment.

Prayer by Rev. Mr. Ferguson.

The Journal of Monday, Tuesday and Wednesday was read and approved.

The following bills were read the second time:

H. B. No. 345: To provide for the reclamation and sale of certain lands granted to the State of Ohio by the United States and by individuals, and for the survey and sale of other lands in said State, which have been or may hereafter be granted to this State, in order to provide for the better support of the Ohio Agricultural and Mechanical College.

Referred to the committee on Agriculture.

H. B. No. 341: For the relief of William Van Doren.

On motion of Mr. Murlin, the bill was laid on the table.

H. B. No. 346: To authorize the trustees of Scott township, Adams county, Ohio, to levy a tax and build a foot-bridge across Buck run, in said township.

Referred to the committee on New Counties and County Affairs.

Mr. Blake submitted the following report:

The committee on Revision have examined, and found correctly engrossed, House Bills Nos. 322, 265, 250, 329, 343, 314, 264, and amendments to Senate Bills Nos. 70, 127, 98 and 72.

JOHNSON SHERRICK, ORVIL BLAKE,
WILLIAM M. MCKINLEY, JON. MORRIS.

On motion of Mr. Thompson of Lucas, the vote by which H. B. No. 279 was lost was reconsidered.

The question then being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 54, nays 20, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Baker of Fairfield, Baker of Perry, Baskin, Beach, Boyce, Brooke, Case, Chapman of Cuyahoga, Cole, Cooley, Conklin, Conkright, Eshelman, Geghan, Green, Haag, Hardy, Hatfield, Heitmann, Hoagland, Hodge, Holt, Huston, Inman, Johnson, Lewis, Light, Martin, McCloud, McKinley, Mesloh, Moorehead, Morris, Munson, Murlin, Myers of Ashland, Nelson, Newell, Norton, Pattison, Pearson, Ramsay, Ray, Robb, Sater, Stone, Thompson of Lucas, Thompson of Montgomery, Van Meter, Varley, Walker, Watson, Weible and Speaker—54.

Those who voted in the negative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Barnett, Bay, Carnahan, Chapman of Meigs, Faxon, Grosvenor, Haven, Herron, Holloway, Howland, Mack, Mann, Myers of Fayette, Richards, Sheppard, Sherrick and Vincent—20.

So the bill passed. The title was agreed to.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has indefinitely postponed the following bill and joint resolution:

H. B. No. 273: To amend section 20 of an act entitled an act prescribing the duties of county auditors, passed and took effect April 4, 1859, as amended January 16, 1873.

H. J. R. No. 33: Requesting the Attorney-General and Secretary of State to prepare a bill codifying the laws relating to corporations other than municipal.

Attest: S. K. DONAVIN, *Clerk.*

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has concurred in the passage of the following bills:

H. B. No. 78: To authorize the trustees of Delaware township, Delaware county, to borrow money to assist in building a bridge.

H. B. No. 191: To authorize the commissioners of Pickaway county, Ohio, to build a bridge across Deer creek, at or near Hayne's mill, in said county.

H. B. No. 270: To authorize the board of education of the incorporated village of Medina to take up outstanding bonds and issue new bonds, with extended time.

H. B. No. 251: Supplementary to the several acts relating to the collection of delinquent taxes.

H. B. No. 237: Supplementary to an act entitled an act to authorize county treasurers to pay out money to township treasurers, city treasurers, treasurers of incorporated villages and treasurers of boards of education in advance, passed April 29, 1873.

H. B. No. 323: To change the time fixed for holding the second term of the court of common pleas for the year 1874 in the county of Shelby.

H. B. No. 241: To create a joint sub-district for school purposes in the townships of Starr and Green, in Hocking county, Ohio.

Attest: S. K. DONAVIN, *Clerk.*

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has concurred in the passage of H. B. No. 51, to authorize the board of education of Perry township, Lawrence county, to levy a tax to pay the indebtedness of said township incurred in the erection of school-houses, after amending the same as follows:

In section 1, line 5, after the word "for" insert the words "each of."

In which the concurrence of the House of Representatives is requested.

Attest: S. K. DONAVIN, *Clerk.*

The question being on agreeing to the Senate amendments to said bill, the yeas and nays were ordered, and resulted—yeas 62, nays 2, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Baker of Perry, Barnett, Barrett, Baskin, Bay, Beach, Bell, Blake, Brooke, Brunner, Chapman of Cuyahoga, Chapman of Meigs, Cole, Cooley, Conklin, Conkright, Eshelman, Faxon, Ford, Geghan, Green, Grosvenor, Haag, Harrison, Hatfield, Haven, Heitmann, Herron, Hill, Holloway, Huston, Johnson, Loomis, Mann, Martin, McCloud, McLain, Mesloh, Moorehead, Morris, Munson, Murlin, Myers of Fayette, Nelson, Pattison, Pearson, Ramsay, Richards, Richmond, Robb, Sater, Sheppard, Sherrick, Stone, Thompson of Montgomery, Tryon, Van Meter, Varley, Vincent, Walker, Watson, Weible and Williams—62.

Messrs. Hoagland and Inman voted in the negative.

So the amendments were agreed to.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has passed the following bills, in which the concurrence of the House of Representatives is requested:

S. B. No. 128—By Mr. Knox: To authorize the trustees of Cadiz township, Harrison county, to transfer certain money from the railroad fund to the township fund, and to pay certain local bounties.

S. B. No. 124—By Mr. Waddle: To amend section 7 of an act entitled an act to amend an act entitled an act to amend section 7 of an act further to prescribe the duties of county commissioners, passed April 8, 1856, as amended February 26, 1857, passed May 7, 1869 (Vol. 66 O. L., p. 350), as amended by an act passed March 13, 1872. (69 O. L., pp. 42, 43.)

S. B. No. 115—By Mr. Sheridan: To authorize the board of education of special school district number one, of Hicksville township, Defiance county, Ohio, to borrow money and issue bonds for purchasing site and building a school-house in said special school district.

S. B. No. 150—By Mr. Ellis: To authorize the city council of the city of Zanesville, Ohio, to issue bonds and borrow money for the purchase of additional cemetery grounds.

S. B. No. 146—By Mr. Potter: To authorize the trustees of Manhattan township, Lucas county, Ohio, to borrow money.

S. B. No. 135—By Mr. Burns: To authorize the trustees of Sharon township, Richland county, Ohio, to pay a balance on a certain promissory note out of the general funds of said township.

Attest: S. K. DONAVIN, *Clerk.*

Said bills were read the first time.

On motion of Mr. Herron, the constitutional rule was dispensed with, and S. B. No. 128 was read the second time by its title, and referred to the committee on Military Affairs.

On motion of Mr. Haag, the constitutional rule was dispensed with, and S. B. No. 115 was read the second time by its title, and referred to the committee on Common Schools and School Lands.

On motion of Mr. Sheppard, the constitutional rule was dispensed with, and S. B. No. 150 was read the second time by its title, and referred to the committee on Municipal Corporations.

On motion of Mr. Thompson of Lucas, the constitutional rule was dispensed with, and S. B. No. 146 was read the second time by its title, and referred to the committee on New Counties and County Affairs.

On motion of Mr. Munson, H. B. No. 250, to provide for the repair of free turnpike roads, was read the third time.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 77, nays 4, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Armstrong of Guernsey, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Bay, Beach, Beatty, Blake, Boyce, Brooke, Brunner, Carnahan, Chapman of Cuyahoga, Chapman, of Meigs, Cole, Cooley, Conklin, Conkright, Eshelman, Faxon, Geghan, Gowey, Gordon, Green, Grosvenor, Haag, Hardy, Harrison, Hatfield, Haven, Herron, Hodge, Holloway, Inman, Johnson, Kemp, Lewis, Light, Mack, Mann, Martin, McCloud, McCoy, McKinley, McLain, Mesloh, Moorehead, Morris, Munson, Murlin, Myers of Fayette, Neff, Nelson, Newton, Norton, Pattison, Pearson, Ramsay, Ray, Richards, Richmond, Scott, Sheppard, Stone, Thompson of Lucas, Thompson of Montgomery, Tryon, Van Meter, Varley, Vincent, Walker, Watson, Weible and Williams—77.

Messrs. Hill, Huston, Newell and Sater voted in the negative.

So the bill passed.

On motion of Mr. Munson, the title was amended by adding "in certain counties."

The title, as amended, was then agreed to.

Mr. Haag, on leave, submitted the following report:

The committee on Judiciary, to whom was referred H. B. No. 333, to provide for publishing the new Constitution, having had the same under consideration, report it back, and recommend its engrossment and passage.

J. M. HAAG, J. H. HEITMANN,
WM. W. BEATTY, T. M. ROBB,
C. H. GROSVENOR, C. C. ARCHER.
J. M. PATTISON,

Said bill was then ordered to be read the third time now.

Mr. Marx moved to recommit the bill to a select committee of one, with instructions to amend as follows: Insert: "in one paper in the German language, if there be one printed in the county."

On which motion the yeas and nays were demanded, ordered, and resulted—yeas 78, nays 9, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Baker of Fairfield, Barnett, Baskin, Bay, Beach, Beatty, Bell, Blake, Boyce, Brooke, Brunner, Case, Chapman of Cuyahoga, Chapman of Meigs, Cole, Cooley, Conklin, Conkright, Eshelman, Faxon, Geghan, Gordon, Green, Grosvenor, Haag, Hardy, Hatfield, Haven, Heitmann, Hoagland, Hodge, Holloway, Holt, Howland, Huston, Inman, Johnson, Kemp, Lewis, Light, Mann, Marx, Martin, McCloud, McCoy, McKinley, McLain, Mesloh, Moorehead, Morris, Myers of Fayette, Neff, Nelson, Newell, Newton, Oren, Pattison, Ramsay, Ray, Richards, Richmond, Robb, Sater, Scott, Sheppard, Sherrick, Stone, Thompson of Lucas, Thompson of Montgomery, Tryon, Van Meter, Varley, Walker, Watson, Weible, West and Williams—78.

Those who voted in the negative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Carnahan, Ford, Gowey, Harrison, Hill, Loomis and Vincent—9.

So the motion was agreed to; and Mr. Marx appointed as said committee, who, on leave, reported the bill back amended as instructed.

Said bill was then ordered to be re engrossed.

H. B. No. 183, supplementary to an act entitled an act to protect the elections of voluntary political associations, and to punish frauds therein, passed February 24, 1871, was read the third time.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 70, nays 1, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Baker of Fairfield, Baker of Perry, Barnett, Baskin, Bay, Beatty, Bell, Blake, Boyce, Brooke, Brunner, Case, Chapman of Cuyahoga, Chapman of Meigs, Cole, Conklin, Conkright, Eshelman, Geghan, Gordon, Green, Haag, Hardy, Harrison, Haven, Heitmann, Herron, Hill, Hoagland, Holloway, Howland, Huston, Inman, Johnson, Kemp, Lewis, Mann, Martin, McCloud, McCoy, McKinley, Mesloh, Moorehead, Morris, Murlin, Myers of Fayette, Neff, Nelson, Newell, Newton, Pattison, Pearson, Ramsay, Ray, Richards, Richmond, Robb, Sater, Scott, Sheppard, Sherrick, Thompson of Montgomery, Tryon, Van Meter, Varley, Walker, Watson, Weible and West—70.

Mr. Marx voted in the negative.

So the bill passed. The title was agreed to.

On motion of Mr. Thompson of Lucas, S. B. No. 134, supplementary to an act for the reorganization and maintenance of common schools, passed May 1, 1873, was read the third time.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 80, nays 1, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Armstrong of Guernsey, Baker of Fairfield, Baker of Perry, Barnett, Bay, Beach, Beatty, Bell, Blake, Boyce, Brooke, Case, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Cole, Cooley, Conklin, Conkright, Eshelman, Faxon, Ford, Geghan, Gowey, Gordon, Grosvenor, Haag, Harrison, Haven, Heitmann, Herron, Hill, Holt, Howland, Huston, Inman, Johnson, Lewis, Loomis, Mack, Mann, Marx, Martin, McCoy, McKinley, McLain, Mesloh, Moorehead, Munson, Murlin, Myers of Fayette, Newell, Newton, Norton, Oren, Pattison, Pearson, Ramsay, Ray, Richards, Richmond, Robb, Sater, Scott, Sheppard, Sherrick, Stone, Thompson of Lucas, Thompson of Montgomery, Tryon, Van Meter, Varley, Vincent, Walker, Watson, Weible, West and Williams—80.

Mr. Nelson voted in the negative.

So the bill passed. The title was agreed to.

The following bill was introduced on leave, and read the first time:

H. B. No. 348—By Mr. Grosvenor: To enable certain trustees of the Church of Christ, at Nelsonville, Athens county, to convey certain real estate.

On motion of Mr. Grosvenor, the constitutional rule was dispensed with, and the bill was read the second time.

The bill was then ordered to be engrossed, and read the third time to-morrow.

On motion of Mr. Neff, the vote by which H. B. No. 111 was lost was reconsidered.

Mr. Beatty moved to recommit the bill to a select committee of one, with instructions to amend as follows:

In line seven, section 1, after the word "age," add the following words: "when in their judgment there are a sufficient number of colored youths to justify."

Also, in line ten, after the word "education," add the following words: "shall fail to establish or."

Which was agreed to; and Mr. Beatty was appointed said committee, who, on leave, reported the bill back, amended as instructed.

Said bill was then ordered to be re-engrossed.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has concurred in the passage of H. B. No. 241, to create a joint sub-district for school purposes in the townships of Starr and Green, in Hocking county, Ohio, with the following amendments:

In line two, section 2, strike out the word "April," and in lieu thereof insert the word "May;" and in the fourth line of same section strike out the words "first Monday thereafter," and insert in lieu thereof the words "third Monday of April, 1874."

In which the concurrence of the House of Representatives is requested.

Attest: S. K. DONAVIN, *Clerk.*

The question being on agreeing to the Senate amendments to said bill, the yeas and nays were ordered, and resulted—yeas 61, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Baker of Fairfield, Baker of Perry, Barnett, Baskin, Bay, Beatty, Bell, Blake, Case, Carnahan, Chapman of Meigs, Cole, Conkright, Faxon, Gowey, Gordon, Grosvenor, Harrison, Heitmann, Hoagland, Hodge, Holloway, Holt, Howland, Huston, Inman, Johnson, Kemp, Loomis, Mann, Marx, McCloud, McKinley, Mesloh, Moorehead, Munson, Murlin, Neff, Nelson, Pattison, Pearson, Ramsay, Ray, Richards, Richmond, Robb, Sater, Sheppard, Sherrick, Stone, Thompson of Montgomery, Tryon, Van Meter, Varley, Vincent, Walker, Watson, Weible and Williams—61.

So the amendments were agreed to.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has agreed to the report of the committee of conference on the matter in difference between the Senate and House of Representatives as to S. B. No. 71, to amend the act entitled an act to establish and maintain an agricultural and mechanical college in Ohio, passed March 22, 1870.

Attest: S. K. DONAVIN, *Clerk.*

Mr. Baker of Fairfield submitted the following report:

The committee of conference on the matters in difference between the Senate and House of Representatives as to S. B. No. 71, to amend the act entitled an act to establish and maintain an agricultural and mechanical college in Ohio, recommend that the Senate concur in House amendment providing that at least three of the directors "shall be practical agriculturists," and that the House recede from its amendment providing that "no trustee, or relative of any trustee, by blood or marriage, shall be elected or appointed to a professorship or any other office or position in the college the compensation for which is to be paid out of the State treasury or the Agricultural and Mechanical College fund.

GEORGE S. BAKER,	H. W. CURTISS,
WM. W. BEATTY,	GEO. W. ANDREWS,
R. C. MCCLOUD,	WM. A. TRESSLER,
House Committee.	*Senate Committee.*

The question being on agreeing to the report of the committee of conference, the yeas and nays were ordered, and resulted—yeas 31, nays 53, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Baker of Fairfield, Baker of Perry, Barnett, Baskin, Beach, Beatty, Brooke, Brunner, Case, Carnahan, Chapman of Cuyahoga, Cole, Cooley, Hardy, Hatfield, Hill, Howland, Huston, Inman, Kemp, Lewis, Mann, McCloud, McKinley, Murlin, Robb, Sater, Weible, West and Williams—31.

Those who voted in the negative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Bay, Bell, Chapman of Meigs, Conklin, Conkright, Faxon, Ford, Geghan, Gordon, Grosvenor, Harrison, Haven, Heitmann, Herron, Hoagland, Hodge, Holloway, Holt, Johnson, Loomis, Mack, Marx, Martin, McCoy, McLain, Mesloh, Morris, Munson, Myers of Fayette, Neff, Nelson, Newell, Newton, Norton, Oren, Pearson, Ramsay, Ray, Richards, Richmond, Scott, Sheppard, Sherrick, Stone, Thompson of Montgomery, Tryon, Van Meter, Varley, Vincent and Walker—53.

So the report of the committee was disagreed to.

Mr. Scott moved that the House insist on its amendments, and ask of the Senate another committee of conference.

Which was agreed to.

On motion of Mr. Conkright, the House took a recess.

HALF-PAST TWO O'CLOCK P.M.

The Speaker announced as the committee of conference on S. B. No. 71, Messrs. Conklin, McCoy and Oren on the part of the House.

H. B. No. 284, to amend an act entitled an act defining the powers and duties of justices of the peace and constables in criminal cases, passed March 27, 1837, took effect July 4, 1837, was read the third time.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 72, nays 1, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Armstrong of Guernsey, Baker of Fairfield, Baker of Perry, Barrett, Baskin, Bay, Beach, Blake, Brooke, Brunner, Chapman of Cuyahoga, Cole, Cooley, Conklin, Conkright, Duncan, Faxon, Geghan, Gowey, Haag, Hardy, Harrison, Haven, Heitmann, Herron, Hoagland, Hodge, Holloway, Holt, Huston, Inman, Johnson, Lewis, Loomis, Mack, Marx, McCloud, McCoy, McKinley, McLain, Mesloh, Moorehead, Morris, Munson, Murlin, Myers of Ashland, Myers of Fayette, Neff, Newton, Norton, Pattison, Pearson, Ramsay, Ray, Richmond, Robb, Sater, Sheppard, Sherrick, Stone, Thompson of Lucas, Thompson of Montgomery, Tryon, Van Meter, Varley, Vincent, Walker, Weible, West and Williams—72.

Mr. Barnett voted in the negative.

So the bill passed. The title was agreed to.

H. B. No. 305, to amend section 34 of an act to regulate the election of State and county officers, passed May 3, 1852, was read the third time.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 66, nays 6, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Armstrong of Guernsey, Baker of Perry, Barrett, Bay, Beatty, Blake, Case, Carnahan, Cole, Cooley, Conklin, Conkright, Duncan, Faxon, Ford, Geghan, Gowey, Haag, Hardy,

Harrison, Haven, Heitmann, Herron, Hoagland, Holt, Huston, Inman, Johnson, Kemp, Lewis, Loomis, Marx, Martin, McCloud, McLain, Mesloh, Moorehead, Munson, Murlin, Myers of Ashland, Myers of Fayette, Neff, Nelson, Newton, Oren, Pattison, Pearson, Ramsay, Ray, Richmond, Robb, Sater, Stone, Thompson of Lucas, Thompson of Montgomery, Tryon, Van Meter, Varley, Vincent, Walker, Watson, Weible, West and Williams—66.

Those who voted in the negative were—

Messrs. Baker of Fairfield, Beach, Brooke, Brunner, Scott and Sherrick—6.

So the bill passed. The title was agreed to.

H. B. No. 310, to enable trustees of religious denominations to become incorporated, and defining their powers, was read the third time.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 69, nays 1, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Armstrong of Guernsey, Barnett, Barrett, Baskin, Bay, Beach, Beatty, Blake, Brooke, Brunner, Carnahan, Cole, Cooley, Conklin, Conkright, Duncan, Faxon, Ford, Geghan, Gowey, Hardy, Harrison, Haven, Heitmann, Herron, Hoagland, Hodge, Holloway, Huston, Inman, Johnson, Kemp, Loomis, Mack, Martin, McCloud, McKinley, McLain, Mesloh, Moorehead, Morris, Munson, Myers of Ashland, Myers of Fayette, Neff, Nelson, Newton, Oren, Pattison, Ramsay, Ray, Richards, Richmond, Robb, Sater, Sherrick, Stone, Thompson of Montgomery, Tryon, Van Meter, Varley, Vincent, Walker, Watson, Weible, West and Williams—69.

Mr. Marx voted in the negative.

So the bill passed. The title was agreed to.

H. B. No. 314, to amend section 5 of an act entitled an act regulating the Commercial Hospital of Cincinnati, passed March 11, 1861, as amended by an act passed March 1, 1870, was read the third time.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 72, nays 4, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Armstrong of Guernsey, Baker of Fairfield, Baker of Perry, Barnett, Baskin, Bay, Beach, Beatty, Blake, Brooke, Brunner, Case, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Cole, Cooley, Conklin, Conkright, Duncan, Eshelman, Faxon, Geghan, Green, Grosvenor, Harrison, Haven, Heitmann, Herron, Hill, Hodge, Holloway, Huston, Johnson, Lewis, Loomis, Mack, Martin, McCloud, McLain, Mesloh, Moorehead, Morris, Munson, Murlin, Myers of Ashland, Myers of Fayette, Neff, Nelson, Newell, Norton, Oren, Pattison, Ray, Richards, Richmond, Robb, Sater, Sherrick, Stone, Thompson of Lucas, Thompson of Montgomery, Tryon, Van Meter, Varley, Vincent, Walker, Weible, West and Williams—72.

Messrs. Gordon, Haag, Hoagland and Marx voted in the negative.

So the bill passed. The title was agreed to.

Mr. McCloud moved that the third reading of H. B. No. 320 be postponed until to-morrow.

Which was agreed to.

S. B. No. 72, to provide for the disposition of unclaimed freight and express packages, and to amend an act entitled an act providing for the disposition of unclaimed freight and express packages, passed April 16, 1867, was read the third time.

Mr. Brunner moved to recommit the bill to a select committee of one, with instructions to amend as follows: Section 4, line one, strike out "thirty," and insert "sixty."

On motion of Mr. Marx, the vote ordering the bill to a third reading was reconsidered.

Mr. Marx then moved to recommit the bill to the committee on Railroads and Telegraphs.

Mr. Holloway moved to commit to the committee of the Whole House.

Which was agreed to, and the bill so committed.

H. B. No. 70, to amend section 2 of an act to restrain from running at large certain animals therein named, passed April 13, and took effect May 1, 1865, was read the third time.

Mr. Haag moved to refer the bill to a select committee of one, with instructions to amend as follows: Amend section 2 so as to read as follows: "Sec. 2. That the original section 2 of the above act be and the same is hereby repealed."

Mr. Richards moved to amend the instructions as follows: Insert in line 8, after the word "therein," "and such special permits shall be revokable at the discretion of the commissioners, upon three days' notice, in writing, to the owner of such animals."

Which was disagreed to.

The question then recurred on the motion of Mr. Haag to commit with instructions.

Which was agreed to; and Mr. Haag was appointed said committee, who, on leave, reported the bill back, amended as instructed.

Said bill was then ordered to be engrossed.

Mr. Newton asked and obtained leave to record his vote on Senate amendments to H. B. No. 90.

Mr. Newton's name being called, he voted in the affirmative.

Mr. Pattison submitted the following report:

The joint committee on Enrollment have examined, and found correctly enrolled, the following bill:

H. B. No. 90: To provide for the removal of the seat of justice of Mahoning county, Ohio, from the town of Canfield to the city of Youngstown, in said county.

J. M. PATTISON, J. C. FISHER,
L. A. BRUNNER, S. KNOX,
HENRY HARDY, M. C. LAWRENCE.
O. B. CHAPMAN,

The Speaker, in the presence of the House, signed said bill.

H. B. No. 264, to provide for the republication of certain volumes of the Ohio State Reports, was read the third time.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 74, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Armstrong of Guernsey, Baker of Perry, Barrett, Baskin, Beach, Beatty, Bell, Blake, Boyce, Brooke, Brunner, Case, Chapman of Cuyahoga, Chapman of Meigs, Cole, Cooley, Conkright, Duncan, Eshelman, Faxon, Ford, Gowey, Gordon, Green, Grosvenor, Haag, Hardy, Harrison, Haven, Heitmann, Herron, Hoagland, Hodge, Holloway, Howland, Huston, Inman, Johnson, Kemp, Lewis, Loomis, Mack, Martin, McCoy, McKinley, McLain, Mesloh, Moorehead, Morris, Munson, Murlin, Myers of Fayette, Neff, Newell, Newton, Pattison, Pearson, Ramsay, Ray, Richards, Richmond, Robb, Sater, Scott,

Sheppard, Sherrick, Stone, Tryon, Walker, Weible, West and Speaker —74.

So the bill passed. The title was agreed to.

S. B. No. 69, to amend sections 435 and 436 of an act entitled an act to provide for the organization and government of municipal corporations, passed May 7, 1869, was read the third time.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 59, nays 5, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Guernsey, Baker of Fairfield, Baker of Perry, Barnett, Barrett, Baskin, Bay, Beach, Bell, Blake, Brooke, Brunner, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Cole, Cooley, Conklin, Conkright, Eshelman, Geghan, Green, Haag, Harrison, Hatfield, Haven, Heitmann, Hill, Hoagland, Hodge, Holloway, Huston, Inman, Johnson, Kemp, Light, Mack, McCloud, McKinley, Moorehead, Munson, Murlin, Myers of Ashland, Myers of Fayette, Newton, Oren, Pattison, Ramsay, Ray, Richmond, Robb, Sater, Scott, Sherrick, Thompson of Lucas, Thompson of Montgomery, Van Meter and Weible—59.

Those who voted in the negative were—

Messrs. Beatty, Duncan, Howland, Marx and Martin—5.

So the bill passed. The title was agreed to.

The Speaker announced that H. B. No. 333 had been engrossed.

Mr. Scott moved to recommit the bill to a select committee of one, with instructions to amend as follows:

"Section 3. That there is hereby appropriated, out of any money in the treasury belonging to the general revenue fund, seven thousand dollars, or so much thereof as is necessary to pay for said publication."

Which was agreed to; and Mr. Scott appointed said committee, who, on leave, reported the bill back, amended as instructed.

Said bill was then ordered to be re-engrossed.

Mr. Brunner, on leave, submitted the following report:

The committee on Public Printing, to whom was referred S. J. R. No. 44, directing the binding of the Railroad Commissioner's report, having had the same under consideration, report it back, and recommend its adoption.

L. A. Brunner,	E. S. Holloway,
E. B. Eshelman,	I. M. Barrett,
J. W. Nelson,	J. B. Ray.

The question being on the adoption of said resolution, the yeas and nays were ordered, and resulted—yeas 75, nays 8, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Baker of Fairfield, Barrett, Baskin, Bay, Beach, Boyce, Brooke, Brunner, Case, Chapman of Meigs, Cole, Conkright, Duncan, Eshelman, Faxon, Ford, Geghan, Gowey, Green, Grosvenor, Haag, Hardy, Harrison, Hatfield, Haven, Heitmann, Herron, Hill, Hodge, Holloway, Holt, Howland, Huston, Inman, Johnson, Kemp, Loomis, Mack, Mann, Marx, Martin, McCloud, McCoy, McKinley, McLain, Mesloh, Morris, Munson, Murlin, Myers of Ashland, Myers of Fayette, Neff, Nelson, Newell, Newton, Oren, Pattison, Pearson, Ramsay, Ray, Richards, Richmond, Sater, Scott, Sherrick, Stone, Thompson of Lucas, Thompson of Montgomery, Tryon, Van Meter, Varley, Weible and Williams—75.

Those who voted in the negative were—

Messrs. Baker of Perry, Barnett, Beatty, Bell, Blake, Conklin, Hoagland and Vincent—8.

So the resolution was adopted.

Mr. Hodge, on leave, submitted the following report:

The committee on Municipal Corporations, to whom was referred H. B. No. 231, to amend section 1 of an act entitled an act to regulate the platting of lands and laying out of streets in municipal corporations, passed March 31, 1871, having had the same under consideration, report it back, with the following amendments, and recommend its engrossment and passage:

Strike out line 2, in section 1, and insert "in cities of the first class having a population not exceeding one hundred and fifty thousand inhabitants."

Strike out of the title to the bill the words "amend section 1 of," and insert the word "supplementary."

MILT. MCCOY, HIRAM MURLIN,
O. J. HODGE, GUIDO MARX.
WM. BELL, JR.,

The amendments were agreed to; and said bill was ordered to be engrossed, and read the third time to-morrow.

Mr. Pattison submitted the following report:

The joint committee on Enrollment have examined, and found correctly enrolled, the following bill:

H. B. No. 268: To authorize the commissioners of Wayne county to borrow money on the bonds of the county to discharge the existing liabilities of said county.

J. M. PATTISON, J. C. FISHER,
L. A. BRUNNER, M. C. LAWRENCE,
O. B. CHAPMAN, S. KNOX.
H. M. CHAPMAN,

The Speaker, in the presence of the House, signed said bill.

Mr. Howland, on leave, submitted the following report:

The select committee of one to whom was referred H. B. No. 335, having had the same under consideration, reports it back, and recommends its passage.

W. P. HOWLAND.

Said bill was then read the third time.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 79, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Armstrong of Guernsey, Baker of Fairfield, Barnett, Baskin, Bay, Beach, Beatty, Bell, Blake, Boyce, Brooke, Case, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Cole, Conkright, Duncan, Eshelman, Faxon, Ford, Geghan, Gowey, Green, Haag, Hardy, Harrison, Hatfield, Haven, Herron, Hill, Hodge, Holloway, Holt, Howland, Huston, Inman, Johnson, Kemp, Light, Loomis, Mack, Mann, Martin, McCloud, McCoy, McKinley, McLain, Mesloh, Moorehead, Morris, Munson, Murlin, Myers of Ashland, Myers of Fayette, Neff, Newell, Oren, Pattison, Pearson, Poe, Ramsay, Ray, Richmond, Robb, Sater, Scott, Sheppard, Sherrick, Stone, Thompson of Lucas, Thompson of Montgomery, Van Meter, Varley, Vincent, Watson and Weible—79.

So the bill passed. The title was agreed to.

The Speaker announced that H. B. No. 333 had been re-engrossed.

Mr. Grosvenor moved to recommit the bill to a select committee of one, with instructions to amend as follows:

Strike out the following words, to wit: "in two newspapers of different political complexion, published in their respective counties, for two consecutive weeks," and insert the words "shall be published in all the newspapers of the State at such time pending the adoption of such new constitution as the said auditors shall direct; provided, that in no case shall the said publication be made in more than five papers in any one county."

Mr. Haag moved to amend the instructions as follows:

Add to section 1 the words "provided, that no publication shall be made in any paper which has a circulation of less than 1,000."

Which was disagreed to.

The question then recurred on the motion of Mr. Grosvenor to recommit with instructions.

On which motion the yeas and nays were demanded, ordered, and resulted—yeas 11, nays 63, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Guernsey, Blake, Chapman of Meigs, Grosvenor, Haven, Holloway, Loomis, Mann, Neff, Oren and Stone—11.

Those who voted in the negative were—

Messrs. Archer, Armstrong of Belmont, Baker of Fairfield, Barnett, Baskin, Beach, Beatty, Brooke, Brunner, Case, Carnahan, Chapman of Cuyahoga, Cole, Conklin, Conkright, Duncan, Eshelman, Geghan, Gowey, Green, Haag, Hardy, Hatfield, Heitmann, Herron, Hill, Hoagland, Hodge, Holt, Howland, Huston, Inman, Johnson, Kemp, Lewis, Light, Marx, Martin, McCloud, McCoy, McKinley, McLain, Mesloh, Moorehead, Morris, Murlin, Myers of Fayette, Nelson, Newell, Newton, Norton, Ramsay, Ray, Richmond, Sheppard, Sherrick, Thompson of Montgomery, Van Meter, Varley, Vincent, Walker, Weible and West—63.

So the motion was disagreed to.

The question then being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 45, nays 41, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Armstrong of Guernsey, Baker of Fairfield, Barrett, Beach, Beatty, Blake, Brooke, Brunner, Case, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Faxon, Geghan, Grosvenor, Haag, Harrison, Haven, Heitmann, Herron, Hodge, Inman, Loomis, Mann, Marx, Martin, McCloud, McLain, Mesloh, Morris, Murlin, Myers of Fayette, Neff, Oren, Ramsay, Richmond, Robb, Scott, Stone, Thompson of Lucas, Tryon, Van Meter and Speaker—45.

Those who voted in the negative were—

Messrs. Barnett, Baskin, Bay, Boyce, Cole, Conklin, Conkright, Duncan, Eshelman, Green, Hardy, Hatfield, Hill, Hoagland, Holloway, Holt, Howland, Huston, Johnson, Kemp, Light, McCoy, McKinley, Moorehead, Munson, Myers of Ashland, Nelson, Newell, Norton, Pattison, Pearson, Poe, Ray, Sater, Sheppard, Sherrick, Thompson of Montgomery, Varley, Vincent, Walker and Weible—41.

So the bill, not having received a constitutional majority, was lost.

Mr. Robb submitted the following report:

The committee on Privileges and Elections, to whom was referred H. B. No. 347, to authorize the citizens of the village of Brookville, Montgomery county, to hold a special election, having had the same under considera-

tion, report it back, with the recommendation that it be engrossed and passed.

T. M. Robb, C. C. Archer,
Hiram Murlin, L. A. Brunner,
R. C. Thompson, Shelden Newton.
J. F. Gowey,

Said bill was then ordered to be engrossed, and read the third time to-morrow.

Mr. Norton moved that the House do now take a recess until 10 o'clock A.M. to morrow.

Mr. Thompson of Lucas moved that the House do now adjourn; which was agreed to, and the House adjourned.

Attest: THOMAS COUGHLIN, *Clerk.*

Friday, April 10, 1874—10 o'clock A.M.

The House met pursuant to adjournment.

Prayer by Rev. Orvil Blake, member from Portage county.

The Journal was read and approved.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has passed the following bill, in which the concurrence of the House of Representatives is requested:

S. B. No. 137—By Mr. Fisher: To protect mechanics and other laborers in the quiet and peaceable pursuit of their avocations.

Attest: S. K. Donavin, *Clerk.*

Said bill was read the first time.

On motion of Mr. Grosvenor, the constitutional rule was dispensed with, and the bill read the second time by its title, and referred to the committee on Geology, Mines and Mining.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has acceded to the request of the House of Representatives for a third committee of conference on House amendments to S. B. No. 71, to amend the act entitled an act to establish and maintain an agricultural and mechanical college in Ohio.

The President has appointed Messrs. Worthington, Corwin and Kerr such committee on part of the Senate.

Attest: S. K. Donavin, *Clerk.*

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has passed the following bills, in which the concurrence of the House of Representatives is requested:

S. B. No. 139—By Mr. Burton: To authorize the county commissioners of Hamilton county to become vested with the title of and to sell certain lands, and to use the proceeds thereof, in connection with other funds, in the erection of additional buildings for Longview Asylum.

S. B. No. 156—By Mr. Burns: To change the time for holding the summer term of the court of common pleas for the year 1874 for the county of Richland.

S. B. No. 86—By Mr. Hudson: To secure the wages of labor.

S. B. No. 136—By Mr. Fisher: For the protection of livery-stable keepers.

Attest: S. K. DONAVIN, *Clerk.*

Said bills were read the first time.

On motion of Mr. Richmond, the constitutional rule was dispensed with, and S. B. No. 86 was read the second time by its title, and referred to the committee on the Judiciary.

On motion of Mr. Sater, the constitutional rule was dispensed with, and S. B. No. 139 was read the second time by its title, and referred to the committee on New Counties and County Affairs.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has adopted the following joint resolutions, in which the concurrence of the House of Representatives is requested:

S. J. R. No. 17—By Mr. Buell: Relative to the relief of T. F. and W. A. Jones, contractors.

S. J. R. No. 34—By Mr. Corwin: Relating to claims on the General Government.

S. J. R. No. 38—By Mr. Kerr: Relating to the collection of damages by John Morgan's raid.

Attest: S. K. DONAVIN, *Clerk.*

On motion of Mr. Nelson, S. J. R. No. 17 was referred to the committee on Claims.

On motion of Mr. McCloud, S. J. R. No. 34 was referred to the committee on Military Affairs.

On motion of Mr. Haag, S. J. R. No. 38 was referred to the committee on Federal Relations.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has concurred in the passage of H. B. No. 276, to authorize the commissioners of Lucas county to levy a tax for the purpose of purchasing and improving additional grounds for the Lucas County Agricultural Society, after amending the same as follows:

Strike out in lines 4 and 5 all after the word "society," and insert the following: "and the title to all of said grounds and improvements shall be vested in."

In which amendment the concurrence of the House of Representatives is requested.

Attest: S. K. DONAVIN, *Clerk.*

The question being on agreeing to the Senate amendment to said bill, the yeas and nays were ordered, and resulted—yeas 62, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Baker of Fairfield, Baker of Perry, Barnett, Baskin, Bay, Beach, Beatty, Blake, Brooke, Brunner, Case, Carnahan, Chapman of Meigs, Cooley, Geghan, Gowey, Grosvenor, Haag, Hardy, Harrison, Hatfield, Haven, Heitmann, Herron, Hodge, Holloway, Holt, Inman, Johnson, Lewis, Loomis, Mack, Marx, Martin, McCloud, McKinley, McLain, Moorehead, Morris, Munson, Myers of Ashland, Myers of Fayette, Nelson, Newton, Oren, Pattison, Ramsay, Ray, Richards, Richmond, Stone, Thompson of Lucas, Thompson of Mont-

gomery, Tryon, Van Meter, Varley, Vincent, Walker, West and Williams —62.

So the amendment was agreed to.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has concurred in the passage of H. B. No. 143, to authorize the commissioners of Van Wert county to build a court-house, after amending the same as follows:

In line 7, section 4, after the word "general," insert "or special."

In line 8, section 4, strike out "twenty," and insert "thirty."

In which the concurrence of the House of Representatives is requested.

Attest: S. K. DONAVIN, *Clerk.*

The question being on agreeing to the Senate amendments to said bill, the yeas and nays were ordered, and resulted—yeas 74, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Guernsey, Baker of Fairfield, Baker of Perry, Barnett, Barrett, Baskin, Bay, Beach, Beatty, Bell, Blake, Brooke, Brunner, Case, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Cole, Cooley, Conklin, Geghan, Gowey, Grosvenor, Haag, Harrison, Haven, Heitmann, Herron, Hoagland, Hodge, Holt, Inman, Johnson, Kemp, Lewis, Loomis, Mack, Mann, Marx, McCloud, McKinley, McLain, Mesloh, Moorehead, Morris, Munson, Murlin, Myers of Ashland, Myers of Fayette, Neff, Nelson, Newton, Norton, Oren, Pearson, Ramsay, Ray, Richards, Richmond, Sater, Sheppard, Sherrick, Stone, Thompson of Lucas, Thompson of Montgomery, Tryon, Van Meter, Varley, Vincent, Walker, Watson, West, White and Williams—74.

So the amendments were agreed to.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has concurred in the passage of H. B. No. 236, to exempt from execution or seizure any fund set apart by benevolent associations or societies for the families of deceased members, after amending the same as follows:

Strike out from section 1 all of line 5, after the word "families; also, strike out of line 6, section 2, all before the word "any."

Strike out of section 2 all of line 9, after the word "family."

In line 10, section 2, strike out the first five words.

In which the concurrence of the House of Representatives is requested.

Attest: S. K. DONAVIN, *Clerk.*

The question being on agreeing to Senate amendments to said bill, the yeas and nays were ordered, and resulted—yeas 70, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Armstrong of Guernsey, Baker of Fairfield, Baker of Perry, Barnett, Baskin, Bay, Beach, Bell, Blake, Brooke, Case, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Cole, Conklin, Conkright, Faxon, Geghan, Gowey, Grosvenor, Hardy, Hatfield, Haven, Heitmann, Herron, Hoagland, Hodge, Holt, Inman, Johnson, Kemp, Loomis, Mann, Marx, Martin, McCloud, McCoy, McKinley, McLain, Mesloh, Moorehead, Munson, Murlin, Myers of Ashland, Myers of Fayette, Neff, Newell, Newton, Oren, Pattison, Pearson, Ramsay, Ray, Richards, Richmond, Robb, Sater, Stone, Thompson of Lucas, Thompson of Mont-

gomery, Tryon, Van Meter, Varley, Vincent, Walker, Watson and West —70.

So the amendments were agreed to.

Mr. McCoy presented the petition of Thomas Murray and 52 other citizens of Ross county, for the passage of H. B. No. 203.

Which was referred to the committee of the Whole.

Mr. Stone presented the remonstrance of W. R. Evans and 25 other citizens of Gallia county, against the repeal or any modification of the Adair liquor law.

Which was referred to the committee on Temperance.

The following bills were read the second time:

S. B. No. 124: To amend an act entitled an act to amend an act entitled an act to amend section 7 of an act further to prescribe the duties of county commissioners, passed April 8, 1856, as amended February 26, 1857, as further amended May 7, 1869.

Referred to the committee on New Counties and County Affairs.

S. B. No. 135: To authorize the trustees of Sharon township, Richland county, Ohio, to pay a balance on a certain promissory note out of the general funds of said county.

Referred to the committee on New Counties and County Affairs.

Mr. Murlin moved to suspend the rules, and that H. B. No. 341 be taken from the table.

Which was agreed to.

Said bill was then ordered to be engrossed, and read the third time Tuesday next.

Mr. McKinley submitted the following report:

The committee on Revision have examined, and found correctly engrossed, House Bills Nos. 331, 70, 111 and 347.

WILLIAM M. MCKINLEY, JON. MORRIS,
JOHNSON SHERRICK, C. H. GROSVENOR.
ORVIL BLAKE,

Mr. McKinley, on leave, submitted the following report:

The committee on Military Affairs, to whom was referred S. B. No. 128, to authorize the trustees of Cadiz township, Harrison county, to transfer certain money from the railroad fund to the township fund, and to pay certain local bounties, having had the same under consideration, report it back, and recommend its passage.

R. C. MCCLOUD, JOHN M. COOLEY,
JOHN J. GEGHAN, JAMES WATSON,
WM. M. MCKINLEY, GEO. H. FORD.
J. L. MYERS,

Said bill was ordered to be read the third time to-morrow.

Mr. Grosvenor, on leave, submitted the following report:

The committee on Judiciary, to whom was referred H. B. No. 229, supplemental to the municipal code, having had the same under consideration, report it back, and recommend its passage.

T. M. ROBB. C. C. ARCHER,
J. M. HAAG, C. H. GROSVENOR,
J. M. PATTISON, W. P. HOWLAND.

Said bill was ordered to be engrossed, and read the third time Wednesday next.

Mr. Haag moved to change the order of business by receiving the re-

ports from committees before the bills now on the calendar are read the third time.

On which motion the yeas and nays were demanded, ordered, and resulted—yeas 29, nays 50, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Guernsey, Baker of Fairfield, Baskin, Beach, Bell, Brooke, Case, Green, Grosvenor, Haag, Hatfield, Heitmann, McCloud, McCoy, McKinley, McLain, Myers of Ashland, Nelson, Newell, Newton, Norton, Pearson, Ramsay, Richmond, Robb, Thompson of Montgomery, Van Meter, Walker and Watson—29.

Those who voted in the negative were—

Messrs. Armstrong of Belmont, Barnett, Barrett, Bay, Brunner, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Cole, Cooley, Conklin, Faxon, Geghan, Gowey, Harrison, Haven, Herron, Hill, Hoagland, Holt, Huston, Inman, Johnson, Light, Loomis, Mack, Mann, Marx, Martin, Moorehead, Morris, Munson, Myers of Fayette, Neff, Pattison, Ray, Richards, Sater, Scott, Sheppard, Sherrick, Stone, Thompson of Lucas, Tryon, Varley, Vincent, Weible, West, White and Williams—50.

So the motion was disagreed to.

H. B. No. 304, to amend an act entitled an act regulating the Commercial Hospital of Cincinnati, passed March 11, 1861, and to repeal certain amendments thereto, passed February 29, 1864, was read the third time.

Mr. Neff moved to recommit the bill to a select committee of one, with instructions to amend as follows:

Strike out all after the enacting clause to line 5 of section 1, and insert the following: "That sections 1 and 2 of an act entitled an act to amend an act regulating the Commercial Hospital of Cincinnati, passed February 24, 1864, be amended so as to read as follows."

Which was agreed to, and Mr. Neff was appointed said committee.

S. B. No. 70, prescribing the rate of taxation for county, bridge, road and township purposes, and to repeal certain acts therein named, was read the third time.

Mr. West demanded a call of the House.

Leave of absence was asked and obtained for Messrs. Herron and Eidson until Monday next.

Mr. Haag arose to a point of order, claiming it to be out of order to grant leave of absence pending a call.

Said point of order was sustained by the Speaker.

The call was then proceeded with, and ninety-five members answered to their names.

The absentees were Messrs. Baker of Coshocton, Coler, Holloway, Miller, Parker and Ray.

The Sergeant at-Arms was dispatched for absentees.

Mr. Gowey moved that further proceedings under the call be dispensed with.

Which was disagreed to.

Messrs. McCloud and Kemp appeared within the bar of the House, and answered to the call.

Mr. Grosvenor moved that further proceedings under the call be dispensed with.

On which motion the yeas and nays were demanded, ordered, and resulted—yeas 45, nays 50, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Barrett, Bay,

Blake, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Cooley, Conkright, Duncan, Faxon, Ford, Gowey, Grosvenor, Haven, Hodge, Holt, Howland, Johnson, Loomis, Mack, Mann, Marx, Martin, McLain, Morris, Munson, Murlin, Myers of Fayette, Neff, Newton, Oren, Ramsay, Ray, Richards, Richmond, Scott, Stone, Thompson of Lucas, Tryon, Varley, Vincent, White and Williams—45.

Those who voted in the negative were—

Messrs. Archer, Baker of Fairfield, Baker of Perry, Barnett, Baskin, Beach, Bell, Boyce, Brooke, Brunner, Case, Cole, Conklin, Eshelman, Geghan, Gordon, Green, Hardy, Harrison, Hatfield, Heitmann, Hill, Hoagland, Huston, Inman, Kemp, Lewis, Light, McCloud, McCoy, McKinley, Mesloh, Moorehead, Myers of Ashland, Nelson, Newell, Norton, Pattison, Pearson, Poe, Robb, Sater, Sheppard, Sherrick, Thompson of Montgomery, Van Meter, Walker, Weible and West—50.

So the motion was disagreed to.

The Sergeant-at-Arms reported that Mr. Miller was indisposed, and unable to attend.

Mr. Beach moved that further proceedings under the call be dispensed with.

On which motion the yeas and nays were demanded, ordered, and resulted—yeas 60, nays 14, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Guernsey, Baker of Perry, Barnett, Baskin, Beach, Bell, Boyce, Brooke, Brunner, Case, Carnahan, Cole, Conklin, Eshelman, Ford, Geghan, Gordon, Green, Haag, Hardy, Harrison, Hatfield, Haven, Heitmann, Hill, Hoagland, Hodge, Howland, Inman, Kemp, Lewis, Loomis, McCloud, McCoy, McKinley, McLain, Mesloh, Munson, Myers of Ashland, Myers of Fayette, Newell, Newton, Norton, Pattison, Pearson, Poe, Ramsay, Richmond, Robb, Sater, Sheppard, Sherrick, Van Meter, Varley, Vincent, Walker, Watson, West, White and Williams—60.

Those who voted in the negative were—

Messrs. Bay, Beaty, Blake, Cooley, Conkright, Gowey, Grosvenor, Johnson, Martin, Neff, Oren, Ray, Richards and Stone—14.

So the motion was agreed to.

The question then recurred on the passage of S. B. No. 70.

Mr. Scott moved to recommit the bill to a select committee of one, with instructions to amend as follows:

Strike out the words "or has become, or may hereafter become, dangerous to public travel by decay or otherwise."

Mr. Light demanded the previous question, which was duly seconded.

Mr. Scott then demanded a call of the House.

Eighty-eight members answered to their names.

The absentees were Messrs. Baker of Coshocton, Boyce, Coler, Cooley, Eidson, Herron, Holloway, Huston, Mann, McCoy, Mesloh, Miller, Munson, Norton, Parker, Pattison, Robb and Tryon.

The Sergeant-at-Arms was dispatched for absentees.

On motion of Mr. Grosvenor, all further proceedings under the call were dispensed with.

The question then being "Shall the main question be now put?" it was agreed to.

The question then being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 49, nays 42, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Baker of Fairfield, Baker of Perry, Barnett, Baskin,

Beach, Bell, Boyce, Brooke, Case, Cole, Conklin, Eshelman, Geghan, Gordon, Green, Hatfield, Hill, Hoagland, Holt, Huston, Inman, Kemp, Lewis, Light, McCloud, McCoy, McKinley, Mesloh, Miller, Moorehead, Myers of Ashland, Nelson, Newton, Norton, Pattison, Pearson, Poe, Robb, Sater, Sheppard, Sherrick, Thompson of Montgomery, Van Meter, Walker, Watson, Weible, West and Speaker—49.

Those who voted in the negative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Barrett, Beatty, Blake, Brunner, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Cooley, Conkright, Duncan, Faxon, Ford, Gowey, Grosvenor, Haag, Hardy, Harrison, Haven, Heitmann, Howland, Johnson, Loomis, Mack, Mann, Marx, Martin, McLain, Morris, Munson, Murlin, Myers of Fayette, Neff, Newell, Oren, Ramsay, Richards, Richmond, Scott, Stone, Thompson of Lucas, Tryon, Varley, White and Williams—42.

So the bill, not having received a constitutional majority, was lost.

Mr. Brunner asked and obtained leave of absence for himself until next Monday afternoon.

On motion of Mr. Eshelman, the House took a recess.

HALF-PAST TWO O'CLOCK P.M.

H. B. No. 331, to amend section 1 of an act entitled an act to regulate the platting of lands and laying out of streets in municipal corporations, passed March 13, 1871, was read the third time.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 62, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Armstrong of Guernsey, Baker of Fairfield, Baker of Perry, Barnett, Barrett, Bay, Blake, Boyce, Brooke, Brunner, Case, Carnahan, Chapman of Meigs, Cole, Cooley, Conklin, Conkright, Duncan, Faxon, Geghan, Grosvenor, Haag, Hardy, Harrison, Haven, Heitmann, Hoagland, Hodge, Holt, Huston, Inman, Johnson, Lewis, Light, Loomis, Mann, McCloud, McKinley, Mesloh, Moorehead, Murlin, Myers of Ashland, Myers of Fayette, Nelson, Newton, Pearson, Ramsay, Ray, Richards, Richmond, Robb, Sheppard, Sherrick, Thompson of Lucas, Thompson of Montgomery, Tryon, Van Meter, Varley, Vincent and Weible—62.

So the bill passed. The title was agreed to.

H. B. No. 320, to regulate Ohio Soldiers' and Sailors' Orphans' Home, located at Xenia, and to repeal an act entitled an act to establish Ohio Soldiers' and Sailors' Orphans' Home, passed April 14, 1870; also, an act entitled act to amend section 6 of an act to establish Ohio Soldiers' and Sailors' Orphans' Home, passed April 25, 1872, was read the third time.

Mr. McCloud demanded a call of the House. Eighty-seven members answered to their names.

The absentees were Messrs. Baker of Coshocton, Coler, Eidson, Green, Herron, Hodge, Holloway, Myers of Fayette, Neff, Oren, Parker, Ramsay and Williams.

The Sergeant-at-Arms was dispatched for absentees.

Messrs. Norton, Lewis, Howland, Newton and Sheppard appeared within the bar of the House, and answered to the call.

Mr. Harrison moved that all further proceeding under the call be dispensed with.

On which motion the yeas and nays were demanded, ordered, and resulted—yeas 35, nays 51, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Barrett, Bay, Beatty, Blake, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Cooley, Conkright, Duncan, Gowey, Grosvenor, Haven, Holloway, Holt, Howland, Johnson, Loomis, Mann, Marx, Martin, McLain, Munson, Oren, Ramsay, Ray, Richards, Richmond, Scott, Stone, Thompson of Lucas, Tryon, Varley, Vincent, and Williams—35.

Those who voted in the negative were—

Messrs. Archer, Baker of Fairfield, Baker of Perry, Barnett, Baskin, Beach, Bell, Boyce, Brooke, Brunner, Case, Cole, Conklin, Eshelman, Geghan, Gordon, Haag, Hardy, Harrison, Hatfield, Heitmann, Hill, Hoagland, Huston, Inman, Kemp, Lewis, McCloud, McCoy, McKinley, Mesloh, Miller, Moorehead, Murlin, Nelson, Newell, Norton, Pattison, Pearson, Poe, Robb, Sater, Sheppard, Sherrick, Thompson of Montgomery, Van Meter, Walker, Watson, Weible, West and White—51.

So the motion was lost.

Mr. Green appeared within the bar of the House, and answered to the call.

On motion of Mr. Archer, all further proceedings under the call were dispensed with.

The question being "Shall the bill (H. B. No. 320) pass?" the yeas and nays were ordered, and resulted—yeas 54, nays 42, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Baker of Fairfield, Baker of Perry, Barnett, Baskin, Beach, Bell, Boyce, Brooke, Brunner, Case, Cole Cooley, Conklin, Eshelman, Geghan, Gordon, Green, Haag, Hardy, Hatfield, Heitmann, Hill, Hoagland, Huston, Inman, Kemp, Lewis, Light, McCloud, McCoy, McKinley, Mesloh, Miller, Moorehead, Murlin, Myers of Ashland, Nelson, Newell, Norton, Pattison, Pearson, Poe, Robb, Sater, Sheppard, Sherrick, Thompson of Montgomery, Van Meter, Walker, Watson, Weible, White and Speaker—54.

Those who voted in the negative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Barrett, Bay, Beatty, Blake, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Conkright, Duncan, Faxon, Ford, Gowey, Grosvenor, Harrison, Haven, Holt, Howland, Johnson, Loomis, Mack, Mann, Marx, Martin, McLain, Morris, Munson, Newton, Oren, Ramsay, Ray, Richards, Richmond, Scott, Stone, Thompson of Lucas, Tryon, Varley, Vincent, West and Williams —42.

So the bill passed. The title was agreed to.

S. B. No. 129, to provide for the more economical management and better regulation of the Institution for the Education of the Blind, and to repeal certain acts therein named, having been previously read the third time, and the question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 54, nays 41, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Baker of Fairfield, Baker of Perry, Barnett, Baskin, Beach, Bell, Boyce, Brooke, Brunner, Case, Cole, Conklin, Eshelman, Geghan, Gordon, Green, Haag, Hardy, Hatfield, Heitmann, Hill, Hoagland, Huston, Inman, Kemp, Lewis, Light, McCloud, McCoy, McKinley, Mesloh, Miller, Moorehead, Murlin, Myers of Ashland, Nelson, Newell, Newton, Norton, Pattison, Pearson, Poe, Robb, Sater, Sheppard, Sherrick, Thompson of Montgomery, Van Meter, Walker, Watson, Weible, West and Speaker—54.

Those who voted in the negative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Barrett, Bay, Beatty, Blake, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Conkright, Duncan, Faxon, Ford, Gowey, Grosvenor, Harrison, Haven, Holt, Howland, Johnson, Loomis, Mack, Mann, Marx, Martin, McLain, Morris, Muson, Myers of Fayette, Oren, Ramsay, Ray, Richards, Richmond, Stone, Thompson of Lucas, Tryon, Varley, Vincent, White and Williams—41.

So the bill passed. The title was agreed to.

H. B. No. 348, to enable certain trustees of the Church of Christ, at Nelsonville, Athens county, Ohio, to convey certain real estate, was read the third time.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 82, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Armstrong of Guernsey, Baker of Fairfield, Barnett, Barrett, Baskin, Bay, Beach, Bell, Blake, Boyce, Brooke, Case, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Cole, Cooley, Conklin, Conkright, Duncan, Eshelman, Faxon, Geghan, Gowey, Green, Grosvenor, Hardy, Harrison, Hatfield, Haven, Heitmann, Hill, Holt, Howland, Huston, Inman, Johnson, Kemp, Lewis, Light, Mack, Mann, Martin, McKinley, McLain, Mesloh, Miller, Moorehead, Morris, Munson, Murlin, Myers of Ashland, Myers of Fayette, Nelson, Newell, Newton, Oren, Pattison, Pearson, Ramsay, Ray, Richards, Richmond, Robb, Sater, Scott, Sheppard, Stone, Thompson of Lucas, Thompson of Montgomery, Tryon, Van Meter, Varley, Vincent, Walker, Weible, West, White, Williams and Speaker—82.

So the bill passed. The title was agreed to.

Mr. Eshelman submitted the following report:

The committee on Finance, to whom was referred Senate amendments to H. B. No. 175, making appropriations for the fiscal year 1874, and the first quarter of the fiscal year 1875, having had the same under consideration, report them back, with the recommendation that the House agree to amendments 1, 2, 3, 4, 5, 6, 9, 10, 11, 14, 18, 19, 20, 22, 23, 24, 25, 26, and part of 21 and 27 of section 1, and agree to part of amendment 21, with amendment, and disagree to amendments 7, 12, 13, 15, 16, 17, and part of amendment 27, of said section; and that the House agree to amendments 1, 4, 5, 6, 7, 8, 11, 12, 15, 19, 20, 21 and 23 of section 2, and disagree to amendments 16, 17, 18, 19, 20 and 22, and agree to amendments 2, 13 and 14, with amendments, and that amendment 1 to section 6 be agreed to. With reference to amendment 8 of section 1, and amendments 3, 9 and 10 of section 2, the committee make no recommendation.

The amendment to part of amendment twenty-one, section 1, is as follows:

"For mileage and per diem of members, and the per diem of officers and messengers of the Constitutional Convention, fifty-three thousand dollars.

"For printing of the Constitutional Convention, six thousand dollars.

"For contingent expenses of the Constitutional Convention, one thousand dollars.

"To be paid on the certificate of the presiding officer of the Constitutional Convention."

Amend second amendment of section 2 by adding "two thousand dollars."

Amend the thirteenth amendment by adding "one thousand dollars."
Amend the fourteenth amendment by adding "fifteen hundred dollars."

E. B. ESHELMAN, J. SCOTT,
E. M. GREEN, THOS. E. DUNCAN,
R. HILL, GEO. H. FORD,
GEO. W. BOYCE, J. M. POE.
W. P. HOWLAND,

Mr. Faxon moved to lay the bill and amendments on the table, and that they be printed.

On which motion the yeas and nays were demanded, ordered, and resulted—yeas 33, nays 52, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Barrett, Beatty, Blake, Brunner, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Cooley, Conkright, Faxon, Ford, Geghan, Gowey, Grosvenor, Loomis, Mack, Mann, Martin, McCoy, Mesloh, Miller, Morris, Munson, Myers of Fayette, Oren, Ray, Richards, Stone, Varley, Walker and Williams—33.

Those who voted in the negative were—

Messrs. Archer, Baker of Fairfield, Baker of Perry, Barnett, Baskin, Beach, Bell, Boyce, Brooke, Case, Cole, Conklin, Duncan, Green, Haag, Hardy, Hatfield, Haven, Heitmann, Hill, Hoagland, Holt, Howland, Huston, Inman, Johnson, Kemp, Lewis, Light, McCloud, McKinley, Murlin, Myers of Ashland, Nelson, Newell, Norton, Pattison, Pearson, Poe, Ramsay, Richmond, Robb, Sheppard, Sherrick, Thompson of Lucas, Thompson of Montgomery, Van Meter, Vincent, Watson, Weible, White and Speaker—52.

So the motion was disagreed to.

A division of the Senate amendments to the bill was then demanded.

The question being on agreeing to the first amendment to section 1, the yeas and nays were ordered, and resulted—yeas 56, nays 19, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Armstrong of Guernsey, Baker of Fairfield, Barnett, Baskin, Bay, Beach, Beatty, Blake, Boyce, Brooke, Case, Carnahan, Chapman of Meigs, Cole, Conklin, Conkright, Duncan, Eshelman, Ford, Green, Hardy, Harrison, Hatfield, Haven, Heitmann, Hill, Hoagland, Holt, Howland, Huston, Inman, Johnson, Mack, McCloud, McLain, Morris, Munson, Myers of Fayette, Nelson, Newton, Oren, Pattison, Pearson, Ramsay, Richmond, Robb, Scott, Stone, Thompson of Lucas, Thompson of Montgomery, Tryon, Van Meter, Vincent, Williams and Speaker—56.

Those who voted in the negative were—

Messrs. Baker of Perry, Brunner, Chapman of Cuyahoga, Faxon, Geghan, Gordon, Grosvenor, Haag, Mann, Martin, McCoy, Miller, Moorehead, Murlin, Richards, Sater, Sheppard, Weible, West and White—19.

So the amendment was agreed to.

The question then being on agreeing to the second amendment to section 1, the yeas and nays were ordered, and resulted—yeas 65, nays 9, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Armstrong of Guernsey, Baker of Fairfield, Baskin, Bay, Beach, Beatty, Blake, Boyce, Brooke, Case, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Cole, Cooley, Conklin, Conkright, Duncan, Eshelman, Ford, Gordon, Green, Grosvenor, Haag, Hatfield, Haven, Hill, Hoagland, Holt, Howland, Huston, Johnson, Light,

Loomis, Mann, Marx, Martin, McCloud, McKinley, McLain, Munson, Myers of Fayette, Newell, Newton, Oren, Pattison, Pearson, Ramsay, Richmond, Robb, Sater, Scott, Sherrick, Stone, Thompson of Lucas, Thompson of Montgomery, Tryon, Van Meter, Varley, Vincent, Walker, Williams and Speaker—65.

Those who voted in the negative were—

Messrs. Baker of Perry, Brunner, Geghan, Miller, Morris, Murlin, Norton, Sheppard and Weible—9.

So the amendment was agreed to.

The question being on agreeing to the third amendment to section 1, the yeas and nays were ordered, and resulted—yeas 66, nays 13, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Armstrong of Guernsey, Baker of Fairfield, Barrett, Baskin, Bay, Beach, Beatty, Blake, Boyce, Brooke, Case, Carnahan, Chapman of Cuyahoga, Cole, Cooley, Conklin, Conkright, Duncan, Eshelman, Ford, Green, Hardy, Hatfield, Haven, Heitmann, Hill, Hoagland, Holt, Howland, Huston, Inman, Johnson, Kemp, Light, Loomis, Mann, Martin, McCloud, McLain, Moorehead, Munson, Myers of Ashland, Myers of Fayette, Nelson, Newell, Newton, Oren, Pattison, Pearson, Ramsay, Richards, Richmond, Sater, Scott, Sherrick, Stone, Thompson of Lucas, Thompson of Montgomery, Tryon, Van Meter, Vincent, Walker, Williams and Speaker—66.

Those who voted in the negative were—

Messrs. Baker of Perry, Brunner, Geghan, Gordon, Haag, Marx, Miller, Morris, Murlin, Norton, Sheppard, Weible and White—13.

So the amendment was agreed to.

The question being on agreeing to the fourth amendment to section 1, the yeas and nays were ordered, and resulted—yeas 62, nays 13, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Armstrong of Guernsey, Baker of Perry, Barnett, Baskin, Bay, Beach, Beatty, Blake, Boyce, Brooke, Chapman of Cuyahoga, Chapman of Meigs, Cole, Conklin, Duncan, Eshelman, Ford, Green, Grosvenor, Hardy, Hatfield, Haven, Heitmann, Hill, Hoagland, Holt, Howland, Huston, Johnson, Kemp, Light, Loomis, Mack, Marx, Martin, McCloud, McKinley, McLain, Moorehead, Munson, Myers of Ashland, Myers of Fayette, Nelson, Newton, Oren, Pattison, Pearson, Ramsay, Richmond, Robb, Scott, Stone, Thompson of Lucas, Thompson of Montgomery, Tryon, Van Meter, Varley, Walker, Williams and Speaker—62.

Those who voted in the negative were—

Messrs. Baker of Perry, Brunner, Carnahan, Conkright, Haag, Inman, Mesloh, Miller, Murlin, Sheppard, Vincent, Weible and White—13.

So the amendment was agreed to.

The question being on agreeing to the fifth amendment, section 1, the yeas and nays were ordered, and resulted—yeas 60, nays 11, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Armstrong of Guernsey, Baker of Fairfield, Barnett, Bay, Beach, Beatty, Blake, Boyce, Case, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Cole, Conklin, Conkright, Duncan, Eshelman, Ford, Gowey, Gordon, Green, Grosvenor, Haag, Haven, Heitmann, Hill, Hoagland, Holt, Howland, Huston, Johnson, Light, Loomis, Mack, Marx, Martin, McKinley, McLain, Moorehead,

Munson, Myers of Ashland, Myers of Fayette, Nelson, Newton, Pattison, Pearson, Ramsay, Richmond, Robb, Scott, Sherrick, Stone, Thompson of Lucas, Thompson of Montgomery, Varley, Walker, Williams and Speaker —60.

Those who voted in the negative were—

Messrs. Baker of Perry, Brunner, Geghan, Mann, Miller, Morris, Murlin, Tryon, Van Meter, Vincent and Weible—11.

So the amendment was agreed to.

The question being on agreeing to the sixth amendment, section 1, the yeas and nays were ordered, and resulted—yeas 60, nays 11, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Armstrong of Guernsey, Baker of Fairfield, Barnett, Baskin, Bay, Beach, Beatty, Blake, Boyce, Brooke, Case, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Cole, Conklin, Conkright, Duncan, Eshelman, Gordon, Green, Grosvenor, Hardy, Hatfield, Haven, Heitmann, Hill, Hoagland, Howland, Huston, Inman, Johnson, Light, Loomis, Mann, Martin, McCloud, Munson, Myers of Ashland, Myers of Fayette, Oren, Pattison, Pearson, Ramsay, Richmond, Robb, Sater, Scott, Sherrick, Stone, Thompson of Lucas, Thompson of Montgomery, Tryon, Van Meter, Varley, Vincent, Williams and Speaker—60.

Those who voted in the negative were—

Messrs. Baker of Perry, Brunner, Faxon, Haag, Holt, Miller, Murlin, Nelson, Norton, Sheppard and Weible—11.

So the amendment was agreed to.

The question being on agreeing to the seventh amendment, section 1, the yeas and nays were ordered, and resulted—yeas 4, nays 66, as follows:

Messrs. Pattison, Pearson, Sherrick and White voted in the affirmative.

Those who voted in the negative were—

Messrs. Archer, Armstrong of Guernsey, Baker of Fairfield, Baker of Perry, Barnett, Baskin, Bay, Beatty, Blake, Boyce, Brunner, Case, Carnahan, Chapman of Cuyahoga, Cole, Cooley, Conklin, Conkright, Duncan, Eshelman, Faxon, Geghan, Gordon, Green, Grosvenor, Haag, Haven, Heitmann, Hill, Hoagland, Holt, Howland, Inman, Johnson, Light, Mack, Marx, Martin, McCloud, McCoy, McLain, Moorehead, Murlin, Myers of Fayette, Nelson, Newton, Norton, Oren, Richards, Richmond, Robb, Sater, Scott, Sheppard, Stone, Thompson of Lucas, Thompson of Montgomery, Van Meter, Varley, Vincent, Walker, Watson, Weible and Williams—66.

So the amendment was not agreed to.

Mr. Holt moved that the House take a recess until $7\frac{1}{2}$ o'clock this evening.

Mr. White moved that the House do now adjourn.

On which motion the yeas and nays were demanded, ordered, and resulted—yeas 29, nays 49, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Belmont, Bell, Blake, Brunner, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Cooley, Conkright, Geghan, Gowey, Howland, Loomis, Mack, Mann, Martin, McLain, Mesloh, Miller, Munson, Myers of Fayette, Norton, Oren, Ramsay, Richards, Stone, Walker and Williams—29.

Those who voted in the negative were—

Messrs. Archer, Armstrong of Guernsey, Baker of Fairfield, Baker of Perry, Barnett, Baskin, Beach, Beatty, Boyce, Brooke, Case, Cole, Conklin,

Duncan, Eshelman, Green, Haag, Hardy, Hatfield, Haven, Heitmann, Hill, Hoagland, Holt, Johnson, Lewis, Light, Marx, McKinley, Nelson, Newell, Pattison, Pearson, Poe, Robb, Sater, Scott, Sheppard, Sherrick, Thompson of Lucas, Thompson of Montgomery, Van Meter, Varley, Vincent, Watson, Weible and Speaker—49.

So the House refused to adjourn.

The question then recurred on the motion of Mr. Holt to take a recess.

Mr. Haag moved to amend the amendment by substituting "ten o'clock A. M. to morrow" for "half-past seven this evening."

Which was agreed to.

The question then recurred on the motion of Mr. Holt, as amended by the House.

On which the yeas and nays were demanded, ordered, and resulted—yeas 53, nays 25, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Armstrong of Guernsey, Bay, Beatty, Bell, Blake, Boyce, Brooke, Brunner, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Cooley, Conkright, Eshelman, Faxon, Gowey, Grosvenor, Haag, Hardy, Haven, Heitmann, Howland, Huston, Loomis, Mack, Mann, Marx, Martin, McKinley, McLain, Mesloh, Miller, Munson, Myers of Fayette, Newell, Newton, Norton, Oren, Pattison, Poe, Ramsey, Richards, Richmond, Scott, Stone, Thompson of Lucas, Thompson of Montgomery, Tryon, Varley, Walker, White and Williams—53.

Those who voted in the negative were—

Messrs. Baker of Fairfield, Baker of Perry, Barnett, Baskin, Beach, Cole, Conklin, Green, Hatfield, Hill, Hoagland, Holt, Johnson, Light, Myers of Ashland, Nelson, Pearson, Robb, Sater, Sheppard, Sherrick, Van Meter, Vincent and Weible—25.

So the motion was agreed to; and the House took a recess until 10 o'clock A.M. to-morrow.

SATURDAY, APRIL 11, 1874—10 o'clock A.M.

The House met pursuant to recess.

Prayer by Rev. Richard Ramsay, member from Adams county.

Mr. Pattison submitted the following report:

The joint committee on Enrollment have examined, and found correctly enrolled, the following bills:

S. B. No. 9: To amend section 313 of the code of civil procedure, as amended May 2, 1871.

S. B. No. 30: For the prosecution and punishment of certain offenses therein named.

J. C. FISHER,	L. A. BRUNNER,
S. KNOX,	HENRY HARDY,
A. M. BURNS,	E. B. PARKER,
M. C. LAWRENCE,	O. B. CHAPMAN.
J. M. PATTISON,	

The Speaker, in the presence of the House, signed said bills.

The House then resumed the consideration of Senate amendments to H. B. No. 175.

Mr. Grosvenor demanded a call of the House, and 70 members answered to their names.

The absentees were Messrs. Baker of Coshocton, Baker of Perry, Bar-

rett, Blake, Chapman of Cuyahoga, Chapman of Meigs, Coler, Cooley, Conklin, Eidson, Faxon, Ford, Geghan, Gowey, Gordon, Haag, Harrison, Haven, Herron, Hodge, Kemp, Light, Martin, McCoy, Miller, Munson, Myers of Ashland, Neff, Newell, Oren, Parker, Pearson, Ray and Richards.

The Sergeant-at-Arms was dispatched for absentees.

Mr. Poe appeared within the bar of the House and answered to the call.

On motion of Mr. Archer, all further proceedings under the call were dispensed with.

Mr. Beatty moved that further consideration of H. B. No. 175 be postponed until Tuesday next.

On which motion the yeas and nays were demanded, ordered, and resulted—yeas 17, nays 52, as follows :

Those who voted in the affirmative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Beatty, Chapman of Meigs, Conkright, Gordon, Holloway, Holt, Loomis, Mack, Mann, Morris, Myers of Fayette, Scott, Stone, Thompson of Lucas, and Williams—17.

Those who voted in the negative were—

Messrs. Archer, Baker of Fairfield, Barnett, Baskin, Bay, Beach, Bell, Boyce, Brooke, Brunner, Case, Cole, Duncan, Eshelman, Green, Grosvenor, Hardy, Hatfield, Heitmann, Hill, Hoagland, Huston, Inman, Johnson, Lewis, Light, Marx, McCloud, McKinley, McLain, Mesloh, Moorehead, Murlin, Nelson, Newton, Poe, Richmond, Robb, Sater, Sheppard, Sherrick, Thompson of Montgomery, Tryon, Van Meter, Varley, Vincent, Walker, Watson, Weible, West, White and Speaker—52.

So the motion was disagreed to.

The question being on agreeing to the eighth Senate amendment to H. B. No. 175, section 1, the yeas and nays were ordered, and resulted—yeas 41, nays 30, as follows :

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Armstrong of Guernsey, Baker of Fairfield, Bay, Brooke, Case, Carnahan, Chapman of Meigs, Duncan, Grosvenor, Heitmann, Holloway, Holt, Howland, Huston, Johnson, Lewis, Loomis, Mann, Marx, Martin, McCloud, McLain, Mesloh, Morris, Oren, Pattison, Ramsay, Richmond, Robb, Scott, Sherrick, Stone, Thompson of Lucas, Tryon, Van Meter, Varley, Vincent, Watson and Williams—41.

Those who voted in the negative were—

Messrs. Barnett, Baskin, Beach, Beatty, Bell, Boyce, Cole, Conklin, Conkright, Eshelman, Green, Hardy, Hatfield, Hill, Hoagland, Inman, Mack, McCoy, McKinley, Miller, Moorehead, Murlin, Nelson, Newell, Norton, Sater, Thompson of Montgomery, Weible, West and White—30.

So the amendment was disagreed to.

Mr. Lewis demanded a call of the House, and 74 members answered to their names.

The absentees were Messrs. Baker of Coshocton, Baker of Perry, Barrett, Blake, Brunner, Chapman of Cuyahoga, Coler, Cooley, Eidson, Faxon, Ford, Gowey, Gordon, Harrison, Haven, Herron, Hodge, Kemp, Light, Mann, Munson, Myers of Ashland, Neff, Parker, Pattison, Ray, Richards, Sheppard, Thompson of Lucas, and Walker.

The Sergeant-at-Arms was dispatched for absentees.

Leave of absence was granted Mr. Richards until Tuesday next, and to Mr. Haven for time indefinite.

On motion of Mr. Case, all further proceedings under the call were dispensed with.

Mr. Mack moved that the House reconsider the vote by which the eighth Senate amendment to H. B. No. 175 was lost.

On which motion the yeas and nays were demanded, ordered, and resulted—yeas 47, nays 24, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Baker of Fairfield, Bay, Beatty, Boyce, Brooke, Case, Carnahan, Chapman of Meigs, Conkright, Duncan, Grosvenor, Heitmann, Holloway, Holt, Howland, Inman, Johnson, Lewis, Loomis, Mack, Marx, Martin, McCloud, McCoy, McLain, Mesloh, Morris, Myers of Fayette, Newton, Oren, Pattison, Pearson, Poe, Ramsay, Richmond, Robb, Scott, Sherrick, Stone, Tryon, Van Meter, Varley, Vincent, Watson and Williams—47.

Those who voted in the negative were—

Messrs. Archer, Barnett, Beach, Bell, Cole, Conklin, Eshelman, Geghan, Hardy, Hatfield, Hill, Hoagland, Huston, Miller, Moorehead, Murlin, Nelson, Newell, Norton, Sater, Thompson of Montgomery, Weible, West and White—24.

So the motion was agreed to.

Mr. Heitmann moved that the further consideration of the eighth amendment be informally passed.

On which motion the yeas and nays were demanded, ordered, and resulted—yeas 45, nays 26, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Armstrong of Guernsey, Baker of Fairfield, Bay, Beatty, Boyce, Brooke, Case, Carnahan, Chapman of Meigs, Conkright, Duncan, Grosvenor, Hardy, Heitmann, Holloway, Holt, Howland, Johnson, Lewis, Loomis, Mack, Marx, Martin, McCloud, Mesloh, Morris, Myers of Fayette, Newton, Oren, Pearson, Ramsay, Richmond, Robb, Scott, Sherrick, Stone, Tryon, Van Meter, Varley, Vincent, Watson, Williams and Speaker—45.

Those who voted in the negative were—

Messrs. Barnett, Baskin, Beach, Bell, Cole, Conklin, Eshelman, Haag, Hill, Hoagland, Inman, McCoy, McKinley, Miller, Moorehead, Nelson, Newell, Norton, Poe, Sater, Thompson of Montgomery, Weible, West and White—26.

So the motion was agreed to.

Mr. Eshelman moved that the House take a recess.

Mr. White moved that the House do now adjourn.

On which motion the yeas and nays were demanded, ordered, and resulted—yeas 25, nays 46, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Belmont, Baker of Fairfield, Bay, Beatty, Brooke, Chapman of Meigs, Conkright, Duncan, Grosvenor, Holloway, Holt, Howland, Loomis, Mack, Marx, Martin, Morris, Myers of Fayette, Newton, Oren, Ramsay, Richmond, Scott, White and Williams—25.

Those who voted in the negative were—

Messrs. Archer, Armstrong of Guernsey, Barnett, Baskin, Beach, Bell, Boyce, Case, Cole, Conklin, Eshelman, Geghan, Haag, Hardy, Hatfield, Heitmann, Hill, Hoagland, Huston, Inman, Johnson, Lewis, Light, McCloud, McCoy, McKinley, McLain, Mesloh, Miller, Moorehead, Murlin, Newell, Norton, Pearson, Robb, Sater, Sherrick, Thompson of Mont-

gomery, Tryon, Van Meter, Varley, Vincent, Watson, Weible, West and Speaker—46.

So the motion to adjourn was not agreed to.

The motion to take a recess was then agreed to, and the House took a recess.

HALF-PAST TWO O'CLOCK P.M.

The question being on agreeing to the ninth amendment to H. B. No. 175, section 1, the yeas and nays were ordered, and resulted—yeas 53, nays 5, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Barnett, Bay, Beatty, Boyce, Brooke, Case, Carnahan, Chapman of Meigs, Cole, Conklin, Conkright, Eshelman, Geghan, Green, Grosvenor, Haag, Hardy, Heitmann, Hill, Hoagland, Holt, Howland, Inman, Johnson, Lewis, Loomis, Martin, McCloud, McKinley, McLain, Moorehead, Morris, Myers of Fayette, Newton, Oren, Pattison, Pearson, Poe, Ramsay, Richmond, Robb, Sater, Scott, Sherrick, Stone, Tryon, Van Meter, Vincent, Walker, Williams and Speaker—53.

Those who voted in the negative were—

Messrs Baker of Perry, McCoy, Miller, Nelson, and Thompson of Montgomery—5.

So the amendment was agreed to.

Leave of absence was granted Mr. Baker of Fairfield until Monday morning next.

The question being on agreeing to the tenth amendment to H. B. No. 175, section 1, the yeas and nays were ordered, and resulted—yeas 53, nays 8, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Baker of Perry, Barnett, Baskin, Bay, Beatty, Boyce, Brooke, Case, Carnahan, Chapman of Meigs, Cole, Conklin, Conkright, Eshelman, Green, Grosvenor, Haag, Hardy, Heitmann, Hill, Hoagland, Holt, Howland, Inman, Johnson, Lewis, Loomis, Mack, Martin, McCloud, McLain, Mesloh, Moorehead, Morris, Myers of Fayette, Nelson, Newton, Oren, Pattison, Pearson, Poe, Ramsay, Richmond, Robb, Scott, Sherrick, Stone, Tryon, Varley, Walker, Williams and Speaker—53.

Those who voted in the negative were—

Messrs. Geghan, McCoy, Norton, Sater, Thompson of Montgomery, Van Meter, Vincent and Watson—8.

So the amendment was agreed to.

The question being on agreeing to the eleventh amendment to section 1, the yeas and nays were ordered, and resulted—yeas 62, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Baker of Perry, Barnett, Baskin, Bay, Beatty, Boyce, Brooke, Case, Carnahan, Chapman of Meigs, Cole, Conklin, Conkright, Eshelman, Geghan, Green, Grosvenor, Haag, Heitmann, Hill, Hoagland, Holt, Howland, Inman, Johnson, Loomis, Mack, Martin, McCloud, McKinley, McLain, Mesloh, Miller, Moorehead, Morris, Murlin, Myers of Fayette, Nelson, Newton, Oren, Pattison, Pearson, Poe, Ramsay, Richmond, Robb, Sater, Scott, Sherrick, Stone, Thompson of Montgomery, Tryon, Van Meter, Varley, Vincent, Walker, Watson, Weible, Williams and Speaker—62.

So the amendment was agreed to.

On motion of Mr. Howland, the twelfth amendment to section 1 was informally passed.

On motion of Mr. Scott, the thirteenth amendment was informally passed.

On motion of Mr. Beatty, the fourteenth amendment was informally passed.

On motion of Mr. Beatty, the fifteenth amendment was informally passed.

The question being on agreeing to the sixteenth amendment to section 1, the yeas and nays were ordered, and resulted—yeas 5, nays 49, as follows:

Those who voted in the affirmative were—

Messrs. Hoagland, Moorehead, Murlin, Vincent and Weible—5.

Those who voted in the negative were—

Messrs. Archer, Armstrong of Belmont, Armstrong of Guernsey, Baker of Perry, Barnett, Beach, Beatty, Boyce, Brooke, Case, Carnahan, Cole, Conkright, Eshelman, Green, Haag, Heitmann, Hill, Holloway, Holt, Howland, Inman, Lewis, Loomis, Mack, Martin, McCoy, McKinley, McLain, Mesloh, Miller, Morris, Myers of Fayette, Nelson, Newton, Norton, Oren, Pearson, Poe, Ramsay, Richmond, Scott, Sherrick, Stone, Thompson of Montgomery, Tryon, Varley, Walker and Williams—49.

So the amenement was disagreed to.

The question being on agreeing to the seventeenth amendment to section 1, the yeas and nays were ordered, and resulted—yeas 7, nays 48, as follows:

Those who voted in the affirmative were—

Messrs. Baker of Perry, Carnahan, Gordon, Hoagland, Moorehead, Van Meter and Vincent—7.

Those who voted in the negative were—

Messrs. Archer, Armstrong of Belmont, Armstrong of Guernsey, Barnett, Bay, Beach, Beatty, Boyce, Brooke, Case, Chapman of Meigs, Cole, Conklin, Conkright, Eshelman, Geghan, Green, Hardy, Heitmann, Hill, Holloway, Holt, Howland, Huston, Inman, Johnson, Loomis, Mack, McCoy, McKinley, McLain, Miller, Morris, Murlin, Myers of Fayette, Nelson, Newell, Newton, Oren, Pattison, Ramsay, Richmond, Robb, Scott, Tryon, Varley, Weible and Williams—48.

So the amendment was disagreed to.

The question being on agreeing to the eighteenth amendment, section 1, the yeas and nays were ordered, and resulted—yeas 53, nays 2, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Armstrong of Guernsey, Baker of Perry, Barnett, Bay, Boyce, Brooke, Case, Carnahan, Chapman of Meigs, Cole, Conklin, Conkright, Eshelman, Geghan, Green, Hardy, Heitmann, Hill, Hoagland, Holloway, Holt, Howland, Inman, Johnson, Loomis, Mack, Martin, McCoy, McKinley, McLain, Murlin, Myers of Fayette, Nelson, Newell, Pattison, Pearson, Poe, Ramsay, Richmond, Robb, Sherrick, Stone, Thompson of Montgomery, Tryon, Van Meter, Varley, Vincent, Walker, Weible, Williams and Speaker—53.

Messrs. Gordon and Haag voted in the negative.

So the amendment was agreed to.

The question being on agreeing to the nineteenth amendment, section 1, the yeas and nays were ordered, and resulted—yeas 45, nays 13, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Armstrong of Guernsey, Baker of Perry, Barnett, Bay, Boyce, Brooke, Case, Carnahan, Chapman of Meigs, Cole, Conklin, Conkright, Eshelman, Green, Hardy, Heitmann, Hill, Holloway, Holt, Howland, Inman, Johnson, Lewis, Loomis, Mack, Martin, McLain, Murlin, Myers of Fayette, Nelson, Pattison, Pearson, Ramsay, Richmond, Robb, Sater, Scott, Sherrick, Stone, Walker, Williams and Speaker—45.

Those who voted in the negative were—

Messrs. Gordon, Haag, Hoagland, Marx, McCoy, McKinley, Moorehead, Morris, Tryon, Van Meter, Varley, Vincent and Weible—13.

So the amendment was disagreed to.

The question being on agreeing to the twentieth amendment, section 1, the yeas and nays were ordered, and resulted—yeas 51, nays 4, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Armstrong of Guernsey, Baker of Perry, Barnett, Boyce, Brooke, Case, Carnahan, Chapman of Meigs, Cole, Conklin, Conkright, Eshelman, Geghan, Green, Haag, Heitmann, Hill, Hoagland, Holloway, Holt, Howland, Inman, Johnson, Lewis, Loomis, Mack, Marx, Martin, McKinley, McLain, Murlin, Myers of Fayette, Newell, Pattison, Pearson, Ramsay, Richmond, Robb, Scott, Sherrick, Stone, Thompson of Montgomery, Tryon, Varley, Vincent, Watson, Weible, Williams and Speaker—51.

Messrs. Gordon, Moorehead, Nelson and Van Meter voted in the negative.

So the amendment was disagreed to.

Mr. Eshelman moved to amend amendment twenty-one of section 1 by striking out all after the fifth line of the amendment, and adding:

"For the mileage and per diem of officers and messengers of the Constitutional Convention, fifty-three thousand dollars.

"For printing of the Constitutional Convention, six thousand dollars.

"For contingent expenses of the Constitutional Convention, one thousand dollars.

"To be paid on the certificate of the presiding officer of the Convention."

Which was agreed to.

On motion of Mr. Howland, the twenty-first amendment, as amended, was then informally passed.

The question being on agreeing to the twenty-second amendment, section 1, the yeas and nays were ordered, and resulted—yeas 54, nays 5, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Armstrong of Guernsey, Baker of Perry, Barnett, Baskin, Bay, Beatty, Boyce, Brooke, Case, Carnahan, Chapman of Meigs, Cole, Conklin, Conkright, Eshelman, Geghan, Green, Heitmann, Hoagland, Holloway, Holt, Howland, Huston, Inman, Johnson, Lewis, Mack, Marx, Martin, McKinley, Mesloh, Myers of Fayette, Nelson, Pattison, Pearson, Ramsay, Richmond, Robb, Sater, Scott, Sherrick, Stone, Thompson of Montgomery, Tryon, Van Meter, Varley, Vincent, Walker, Watson, Weible, Willams and Speaker—54.

Messrs. Gordon, Haag, Moorehead, Murlin and Norton voted in the negative.

So the amendment was agreed to.

On motion of Mr. Scott, the twenty-third amendment was informally passed.

The question being on agreeing to the twenty-fourth amendment, section 1, the yeas and nays were ordered, and resulted—yeas 58, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Armstrong of Guernsey, Baker of Perry, Barnett, Baskin, Bay, Beatty, Boyce, Brooke, Case, Carnahan, Chapman of Meigs, Cole, Conklin, Conkright, Eshelman, Gordon, Green, Haag, Hardy, Hatfield, Heitmann, Hill, Hoagland, Holt, Howland, Huston, Inman, Johnson, Lewis, Marx, Martin, McKinley, McLain, Moorehead, Murlin, Myers of Fayette, Nelson, Norton, Oren, Pattison, Pearson, Ramsay, Richmond, Robb, Sater, Scott, Sherrick, Stone, Thompson of Montgomery, Tryon, Van Meter, Vincent, Walker, Weible, Williams and Speaker—58.

So the amendment was agreed to.

The question being on agreeing to the twenty-fifth amendment, section 1, the yeas and nays were ordered, and resulted—yeas 61, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Baker of Perry, Barnett, Baskin, Bay, Beatty, Bell, Boyce, Brooke, Case, Carnahan, Chapman of Meigs, Cole, Conklin, Conkright, Eshelman, Geghan, Gordon, Green, Haag, Hatfield, Heitmann, Hill, Hoagland, Holloway, Howland, Huston, Inman, Johnson, Lewis, Loomis, Mack, Marx, Martin, McKinley, McLain, Mesloh, Moorehead, Morris, Murlin, Myers of Fayette, Nelson, Norton, Pattison, Pearson, Ramsay, Robb, Sater, Scott, Sherrick, Stone, Thompson of Montgomery, Tryon, Van Meter, Varley, Vincent, Walker, Weible, Williams and Speaker—61.

So the amendment was agreed to.

On motion of Mr. Scott, the twenty-sixth amendment was informally passed.

On motion of Mr. Scott, the twenty-seventh amendment to section 1 was amended by striking out all of the last clause.

The question then being on agreeing to the twenty-seventh amendment to section 1, as amended by the House, the yeas and nays were ordered, and resulted—yeas 56, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Baker of Perry, Baskin, Bay, Beatty, Bell, Boyce, Brooke, Case, Carnahan, Cole, Conklin, Conkright, Eshelman, Gordon, Hatfield, Heitmann, Hill, Hoagland, Holloway, Holt, Howland, Huston, Inman, Lewis, Loomis, Mack, Marx, Martin, McCoy, McKinley, McLain, Mesloh, Morris, Murlin, Myers of Fayette, Nelson, Newell, Pattison, Pearson, Ramsay, Richmond, Robb, Sater, Scott, Sherrick, Stone, Thompson of Montgomery, Van Meter, Varley, Vincent, Walker, Weible, Williams and Speaker—56.

So the amendment was agreed to.

On motion of Mr. Eshelman, the further consideration of Senate amendments to H. B. No. 175 was postponed until Monday next, and made the special order for three o'clock P.M.

Mr. Pattison submitted the following report:

The joint committee on Enrollment have examined, and found correctly enrolled, the following bills:

S. B. No. 126: To authorize certain incorporated companies to hold

property and carry on business in any county in the State, and beyond the limits thereof; and also to take stock in other companies.

S. B. No. 57: To amend section 1 of an act entitled an act to enable associations of persons for building hotels, and for other purposes, to become bodies corporate, passed April 5, 1866, as amended by an act passed April 25, 1868.

S. B. No. 39: To amend section 8 of an act entitled an act amendatory of and supplementary to an act entitled an act to regulate insurance companies doing an insurance business in the State of Ohio, passed April 27, 1872, passed April 24, 1873.

S. B. No. 28: To amend section 2 of an act to establish a code of criminal procedure for the State of Ohio, passed May 6, 1869, took effect August 1, 1869.

J. C. FISHER, O. B. CHAPMAN,
M. C. LAWRENCE, HENRY HARDY,
S. KNOX, J. M. PATTISON.

The Speaker, in the presence of the House, signed said bills.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has concurred in the passage of H. B. No 244, to authorize the issuing of bonds, and to regulate the making of contracts in certain cities, with the following amendments, in which the concurrence of the House of Representatives is requested:

Strike out all after the enacting clause, and insert the following in lieu thereof:

"That any city of the first class having a population over two hundred thousand shall have power, and is hereby authorized, to issue the bonds of said city, in sums of one thousand dollars each, to an amount not exceeding one million dollars, payable at the pleasure of the said city after thirty years from the date thereof. Said bonds shall be executed in the usual manner of executing bonds by the said city hitherto, and shall bear interest at a rate not exceeding seven per cent. per annum, payable half-yearly, and shall not be disposed of at less than the par value of said bonds, and shall be payable, principal and interest, at the treasury of said city. The said bonds shall be used only for the purpose of paying off the present floating debt of said city, in manner and form as hereinafter directed, and shall be made payable to the treasurer of said city, or bearer, and it shall be certified on each bond by him that it is one of the series of bonds authorized under this act.

"Section 2. The treasurer of said city, with two other respectable and disinterested citizens of said city (who are not members of the city council or board of aldermen of said city), to be appointed by the superior court of the said city, if there be such court, and if not, by the court of common pleas of the county in which said city may be situate, shall constitute a commission under the authority of this act to ascertain the present floating debt of said city, and by whom bona fide held, and to whom payable, to an amount not exceeding one million of dollars; and when ascertained, the amount of bonds hereby authorized necessary to discharge and pay the same shall be executed in manner and form as aforesaid, and delivered to said commission, to be disposed of as aforesaid, and to place the proceeds thereof in the city treasury of said city, to be applied by the said treasurer to pay the said floating debt. In ascertaining said indebtedness, the said commissioners shall allow no part thereof to any

party who has employed any member of said city council or board of alderman as his attorney or counsel that would go to such member as fees for services in collecting the same. Said commissioners shall be sworn to faithfully execute the trusts devolved upon them by this act, and to do equal and exact justice to all the parties concerned, and shall receive no compensation for the services they may render in the premises.

"Section 3. From the taking effect of this act no ordinance or other order for the expenditure of money shall be passed by the city council, or any board, or any officer, or any commissioner having control over the moneys of the city, without stating specifically in such ordinance or order the items of expense to be made under it; and no such ordinance or order shall take effect until the auditor of said city shall certify to the city council there is money in the treasury specially set apart to meet such expenditure; and all expenditures greater than the amount specified in such ordinance or order shall be absolutely void, and no party whatever shall have any claim or demand against the said city therefor; nor shall the city council, or any board, or any officer, or any commissioner of said city, have any power to waive or qualify the limits fixed by such ordinance or order, or fasten upon said city any liability whatever for any excess of such limits, or release any party from an exact compliance with his contract under such ordinance or order; nor shall any member of the city council, or board of aldermen of said city, or any board, or any officer, or any commissioner of said city, have or hold any interest in any contract executed on behalf of said city, nor any interest in the expenditures of any money on the part of said city, in any shape or form whatever, other than his fixed compensation; and any violations of the provisions of this act shall disqualify the party violating them from holding any office of trust or profit in said city, and render him liable to said city for all sums of money or other things he may receive against the provisions of this act, and if in office, he shall be dismissed therefrom.

"Section 4. This act shall take effect and be in force from and after its passage."

Attest: S. K. DONAVIN, *Clerk.*

On motion of Mr. Scott, the further consideration of H. B. No. 244 and amendments was postponed until Tuesday next, at 10 o'clock A.M.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has concurred in the passage of H. B. No. 267, to authorize the trustees of Spencer township, Hamilton county, to sell the township hall.

Attest: S. K. DONAVIN, *Clerk.*

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has concurred in the passage of H. B. No. 342, to prevent the sale of intoxicating liquors at or near the Ohio Soldiers' and Sailors' Orphans' Home, after amending the same as follows:

In section 1, line 7, after the word "home," insert the following: "or within two miles of the boundary lines of the Ohio Reform Farm, located south of Lancaster, Fairfield county."

The Senate also amended the title by adding "or within two miles of the boundary line of the Reform Farm, near Lancaster."

In which amendmednts to bill and title the concurrence of the House of Representatives is requested.

Attest: S. K. DONAVIN, *Clerk.*

The question being on agreeing to the Senate amendments to said bill, the yeas and nays were ordered, and resulted—yeas 54, nays 9, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Armstrong of Guernsey, Baker of Perry, Barnett, Baskin, Bay, Beatty, Brooke, Carnahan, Chapman of Meigs, Cole, Conklin, Eshelman, Green, Hardy, Hoagland, Holloway, Holt, Howland, Huston, Inman, Johnson, Loomis, Mack, Martin, McKinley, McLain, Moorehead, Morris, Murlin, Myers of Fayette, Nelson, Oren, Pattison, Pearson, Ramsay, Richmond, Robb, Sater, Scott, Sherrick, Stone, Thompson of Montgomery, Tryon, Van Meter, Vincent, Walker, Watson, Williams and Speaker—54.

Those who voted in the negative were—

Messrs. Geghan, Gordon, Haag, Heitmann, Lewis, Mesloh, Miller, Norton and Weible—9.

So the amendments were agreed to.

The title, as amended by the Senate, was agreed to.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has concurred in the passage of H. B. No. 204, to amend section 16 of an act entitled an act to organize and regulate an independent militia, passed April 18, 1870, after amending the same as follows:

In section 1, line 12, after the word "allowed," insert "not exceeding."

In which the concurrence of the House of Representatives is requested.

Attest: S. K. DONAVIN, *Clerk.*

On motion of Mr. Holt, the further consideration of the bill and pending amendment was postponed until Wednesday next.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has concurred in the passage of H. B. No. 57, for the further protection of certain birds, and to repeal a certain act therein named, with the following amendments, in which the concurrence of the House of Representatives is requested:

Strike out all after the enacting clause, and insert the following in lieu thereof:

"That it shall be unlawful for any person at any time to catch, kill or injure, or to pursue with such intent, on the premises of another, or on the public highways, streets, alleys or public commons, any sparrow, robin, blue bird, martin, thrush, mocking-bird, swallow, oriole, red bird, grossbeak, cat bird, chewit or ground-robin, pewee or phœbe bird, wren, cuckoo, indigo bird, nut hatch, creeper, yellow bird, fringilla, yellow-hammer or flicker, warbler or finch, mavis, red start, dummock, nightingale, crossbill or corn crake, Hungarian robin, European blackbird, great tit or blue tit.

"GAME, BIRDS AND WILD FOWL.

"Section 2. It shall be unlawful for any person in any place to catch, kill or injure, or to pursue with such intent, any quail or Virginia partridge, or any wild turkey, between the first day of January and the fif-

teenth of October, inclusive; or any ruffed grouse or pheasant, pinnated grouse or prairie chicken, blue-winged teal, mallard or wood duck or other wild duck, wild goose or brant, at any time between the first day of January and the first day of September; or, at any time between the first day of January and the fourth day of July, to catch, kill or injure, or to pursue with such intent, any woodcock, or to catch, kill or destroy, or to pursue with such intent, on the land of another, between the first day of January and the first day of October, any wild rabbit or hare; and it shall be unlawful for any person, at any time, to catch, by snare or trap, any quail, or Virginia partridge; and it shall be unlawful for any person, by the aid or use of any swivel or punt-gun, or any other than the common shoulder-gun, or by the aid or use of any push-boat or sneak-boat, used for carrying such gun, to catch, kill or wound or destroy, or to pursue after with such intent, upon any of the waters, bays, rivers, marshes, mud flats, or any cover to which wild fowl resort within the State of Ohio, any wild goose, wild duck or brant.

"Section 3. And it shall be unlawful for any person to destroy or disturb the eggs of any of the birds protected by this act; and any person offending against any of the foregoing provisions of this act shall be fined in any sum not less than two nor more than twenty-five dollars for each offense, on conviction in the proper court, or be imprisoned in the county jail not more than twenty days, or both, at the discretion of the court, and pay the costs of prosecution.

"Section 4. No person, when shooting on the land of another, shall discharge any fire-arm on any lawn, pleasure ground, orchard or other ground, which is directly appurtenant to or within gun-shot of an occupied dwelling-house. The penalty for violating this section shall be a fine of not less than five nor more twenty dollars, or be imprisoned not more than thirty days, or both, at the discretion of the court, and pay the costs of prosecution.

"Section 5. It shall be unlawful to shoot at, kill or pursue with such intent, on the inclosed or improved lands of another, any of the birds or game protected by this act, after receiving notice to leave said land or premises by the owner, his agent, or any person having charge thereof. This notice may be verbal or written, served on the party to be notified, or by putting up a board not less than two feet long by one foot wide, inscribed with legible characters in English, that 'No shooting or hunting will be allowed on these premises,' which shall be set up at least ten feet from the ground on a post in some conspicuous place on the premises, either of which shall be deemed sufficient notice under this act: Provided, that nothing in this section shall apply to any person who has received express permission from the owner or person in lawful possession of land to hunt or shoot thereon, until such permission is wi hdrawn.

"Section 6. It shall be unlawful for any person to deface or pull down any such board, or deface the notice thereon. Any person offending against any of the provisions of sections 5 or 6 of this act shall, on conviction, be fined in any sum not less than five nor more than twenty-five dollars, or be imprisoned in the county jail not less than five nor more than thirty days, or both, at the discretion of the court, and pay the costs of prosecution.

"WILD DEER.

"Section 7. And it shall be unlawful for any person, between the first day of January and the first day of October, to kill any wild deer.

Any person offending against this section of this act shall be fined in any sum not less than ten nor more than fifty dollars, or be imprisoned, on conviction, not more than thirty days in the county jail, or both, at the discretion of the court, and shall pay the costs of prosecution.

"Section 8. It shall be unlawful for any person to purchase or offer for sale any of the birds or game mentioned in this act caught or killed during the time when such catching, killing or destroying is made unlawful hereby. Any person offending against the provisions of this section shall be liable to the same penalty as is provided in this act for catching, killing or destroying such birds or game.

"Section 9. That the exposure for sale of any of the birds or game mentioned in this act, during the time when the killing thereof is made unlawful, shall be *prima facie* evidence that the same was killed or caught unlawfully within the State of Ohio.

"Section 10. All prosecutions under this act shall be in the name of the State of Ohio, before any justice of the peace, mayor or other proper officer having jurisdiction; and all fines imposed or collected under this act shall be paid into the county treasury for the use of common schools.

"Section 11. The following acts are hereby repealed: 'An act to prevent the killing of birds and other game, passed April 10, and took effect May 1, 1857 (54 O. L., p. 107; S. & C., 73);' 'An act to amend an act to prevent the killing of wild deer, passed and took effect February 19, 1866 (63 O. L., p. 21; S. & S., 12);' 'An act for the protection of certain birds and game, passed and took effect April 30, 1861 (58 Vol. O. L., 125; S. & S., 13);' 'An act to amend sections 1 and 2 of an act entitled an act for the protection of certain birds and game, passed April 30, 1861, as amended March 16, 1865 (62 Vol. O. L., pp. 43 and 44), passed and took effect April 3, 1867 (64 Vol. O. L., 101; S. & S., 14);' 'An act to amend section 2 of an act entitled an act to amend sections 1 and 2 of an act entitled an act for the protection of certain birds and game, passed April 3, 1867 (64 Vol. O. L., pp. 101 and 102), passed and took effect May 16, 1868 (65 Vol., O. L., p. 209; S. & S., p. 14);' 'An act for the further protection of certain birds and game, passed and took effect January 31, 1861 (68 Vol. O. L., p. 14);' Provided, that the repeal hereof shall not affect any pending prosecutions.

"Section 12. This act shall take effect from and after its passage."

Attest: S. K. DONAVIN, *Clerk.*

On motion of Mr. Oren, said bill was laid on the table and ordered to be printed.

Mr. Norton moved that the House do now adjourn.

Which was disagreed to.

Mr. Holloway asked and obtained leave to record his vote on H. B. No. 320.

Mr. Holloway's name being called, he voted in the negative.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has passed the following bill, in which the concurrence of the House of Representatives is requested:

S. B. No. 140—By Mr. Potter: To authorize the issuing of floating debt bonds in cities of the first class having a population of less than one hundred thousand.

Attest: S. K. DONAVIN, *Clerk.*

Said bill was read the first time.

On motion of Mr. Holt, the constitutional rule was dispensed with, and the bill read the second time by its title, and committed to the committee on Municipal Corporations.

The following bill was introduced on leave, and read the first time:

H. B. No. 349—By Mr. Morris: An act supplementary to an act for the relief of the poor, and to repeal certain acts therein named, passed April 26, 1872.

On motion of Mr. Morris, the constitutional rule was dispensed with, and the bill was read the second time by its title, and referred to the committee on Judiciary.

Mr. Case, on leave, submitted the following report:

The committee on Common Schools and School Lands, to whom was referred H. B. No. 344, to authorize the board of education of the school district composed of the town of Cambridge, in Guernsey county, Ohio, to issue bonds to pay an existing indebtedness, and levy a tax for the payment of the same, having had the same under consideration, report it back, with the following substitute, and recommend its engrossment and passage.

O. CASE, J. A. MOOREHEAD,
A. W. MUNSON, G. W. LIGHT,
E. MARTIN, JOHNSON SHERRICK.
H. G. TRYON,

The substitute was agreed to.

Said bill was then ordered to be engrossed, and read the third time Wednesday next.

The following bill was introduced on leave, and read the first time:

H. B. No. 350—By Mr. Geghan: Amendatory and supplemental of an act entitled an act to organize and regulate an independent militia, passed April 18, 1870.

Mr. Miller, on leave, submitted the following report:

The committee on Municipal Corporations, to whom was referred H. B. No. 330, to amend section 199 of an act entitled an act to provide for the organization and government of municipal corporations, passed May 7, 1869, as amended April 18, 1870, having had the same under consideration, report it back, and recommend that it be engrossed and passed.

E. W. MILLER, GUIDO MARX,
WM. BELL, JR., MILT. MCCOY.
HIRAM MURLIN,

Said bill was then ordered to be engrossed, and read the third time Tuesday next.

Mr. Robb, on leave, submitted the following report:

The committee on Judiciary, to whom was referred H. B. No. 321, to amend section 9 of an act entitled an act concerning divorce and alimony, passed March 11, 1853, as amended March 1, 1870, and amended February 27, 1873, having had the same under consideration, report it back, with the following amendments, and recommend that, being so amended, it be engrossed and passed:

In line eleven of section 9, after the word "aforesaid," add: "and award execution therefor; and in all such cases where an appeal is taken by said husband to the district court, said court, or any judge thereof in vacation, shall have power to grant like alimony and support during the pendency of said case on appeal, upon like notice being given."

In line six of section 9, after the word "party," add the words "of the time and place of such application."

T. M. Robb, C. C. Archer,
J. M. Haag, Wm. W. Beatty.
C. H. Grosvenor,

Said amendments were agreed to.

Said bill was then ordered to be engrossed, and read the third time Wednesday next.

Mr. Newton submitted the following report:

The committee on New Counties and County Affairs, to whom was referred S. B. No. 135, to authorize the trustees of Sharon township, Richland county, Ohio, to pay a balance on a certain promissory note out of the general funds of said township, having had the same under consideration, report it back, and recommend its passage.

Shelden Newton, Hiram Murlin,
R. Ramsay, S. A. West.

Said bill was then ordered to be engrossed, and read the third time Tuesday next.

Mr. Grosvenor submitted the following report:

The committee on Judiciary, to whom was referred H. B. No. 158, to establish and protect foot or sidewalks, and shade and ornamental trees, etc., having had the same under consideration, report it back, and recommend that it lie on the table.

C. H. Grosvenor, J. H. Heitmann,
J. M. Haag, T. M. Robb,
Wm. W. Beatty, C. C. Archer.
J. M. Pattison,

Said report was agreed to, and the bill laid on the table.

Mr. Grosvenor submitted the following report:

The committee on Judiciary, to whom was referred S. B. No. 45, to amend section 40 of an act entitled an act for the assessment and taxation of property in this State, and for levying taxes thereon, according to its true value in money, as amended May 8, 1868, having had the same under consideration, report it back, and recommend its passage.

C. H. Grosvenor, J. M. Pattison,
J. M. Haag, T. M. Robb,
Wm. W. Beatty, C. C. Archer.

Said bill was ordered to be read the third time Tuesday next.

On motion of Mr. McKinley, the House adjourned.

Attest: THOMAS COUGHLIN, *Clerk.*

Monday, April 13, 1874—10 o'clock A.M.

The House met pursuant to adjournment.

Prayer by Rev. Richard Ramsay, member from Adams county.

The Journal of Friday and Saturday was read and approved.

Mr. Loomis demanded a call of the House. Sixty members answered to their names.

The absentees were Messrs. Baker of Coshocton, Barrett, Beatty, Bell, Blake, Brunner, Chapman of Cuyahoga, Cole, Coler, Cooley, Duncan, Eidson, Faxon, Gowey, Gordon, Grosvenor, Hardy, Harrison, Hatfield, Haven, Herron, Hodge, Holt, Kemp, Lewis, Light, Mann, Martin, Mun-

son, Murlin, Myers of Ashland, Neff, Nelson, Oren, Parker, Ray, Richards, Richmond, Scott, Sheppard, Stone, Thompson of Lucas, Vincent, Weible, White and Williams.

The Sergeant-at-Arms was dispatched for absentees.

On motion of Mr. Archer, further proceedings under the call were dispensed with.

Mr. Heitmann moved a reconsideration of the vote by which S. B. No. 70 was lost.

On which motion the yeas and nays were demanded, ordered, and resulted—yeas 39, nays 22, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Baker of Fairfield, Baker of Perry, Barnett, Baskin, Beach, Boyce, Brooke, Case, Cole, Conklin, Eshelman, Geghan, Green, Haag, Heitmann, Hill, Hoagland, Huston, Inman, McCloud, McCoy, McKinley, Mesloh, Miller, Moorehead, Nelson, Newell, Norton, Pattison, Pearson, Robb, Sater, Sherrick, Thompson of Montgomery, Van Meter, Walker, Watson and West—39.

Those who voted in the negative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Bay, Carnahan, Chapman of Meigs, Conkright, Ford, Holloway, Howland, Johnson, Loomis, Mack, Marx, Martin, McLain, Morris, Myers of Fayette, Newton, Ramsay, Richards, Tryon and Varley—22.

So the motion to reconsider was agreed to.

On motion of Mr. Heitmann, the further consideration of the bill was postponed until to-morrow.

The following bills were read the second time:

S. B. No. 136, for the protection of livery-stable keepers.

Referred to the committee on the Judiciary.

S. B. No. 156, to change the time for holding the summer term of the court of common pleas for the year 1874 for the county of Richland.

Referred to the committee on the Judiciary.

On motion of Mr. Loomis, H. B. No. 329 was postponed until to-morrow for third reading.

S. B. No. 127, to amend section 6 of an act entitled an act to prevent cruelty to animals, passed April 4, 1871, was read the third time.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 31, nays 27, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Baker of Coshocton, Baskin, Beach, Brooke, Chapman of Meigs, Conklin, Eshelman, Ford, Haag, Hardy, Huston, Johnson, Loomis, McCoy, McLain, Moorehead, Myers of Fayette, Newell, Newton, Norton, Pattison, Pearson, Richmond, Sater, Van Meter, Varley, Watson, Weible and West—31.

Those who voted in the negative were—

Messrs. Armstrong of Guernsey, Baker of Fairfield, Barnett, Bay, Bell, Case, Conkright, Geghan, Green, Hardy, Heitmann, Hill, Hoagland, Holloway, Inman, Mack, Marx, McKinley, Miller, Morris, Murlin, Nelson, Ramsay, Robb, Thompson of Montgomery, and Walker—27.

So the bill, not having received a constitutional majority, was lost.

On motion of Mr. Archer, the third reading of H. B. No. 322 was postponed until Wednesday next.

On motion of Mr. Ford, the third reading of S. B. No. 98 was postponed until Wednesday next.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has indefinitely postponed the following bills:

H. B. No. 9: To amend the seventh section of an act entitled an act to amend an act entitled an act prescribing the rate of taxation for county, bridge, road and township purposes, passed May 1, 1871, passed April 26, 1872.

H. B. No. 179: To amend sections 57, 58, 60 and 61 of an act entitled an act of the jurisdiction and procedure before justices of the peace, and of the duties of constables in civil courts, passed March 14, 1853.

Attest: S. K. DONAVIN, *Clerk.*

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has concurred in the passage of H. J. R. No. 17, relative to arms furnished this State by the General Government during the last war.

Attest: S. K. DONAVIN, *Clerk.*

MESSAGE FROM THE SENATE.

Mr. Speaker:

The following bills have been introduced in the Senate and read the first time:

S. B. No. 159—By Mr. Yeoman: To authorize the correction of an error in the valuation of a certain piece of property.

S. B. No. 160—By Mr. Potter: To repeal an act entitled an act to establish a superior court for the city of Cleveland, and to repeal an act therein named, passed May 5, 1873.

S. B. No. 161—By Mr. Morris: Supplementary to an act entitled an act to provide for the organization and government of municipal corporations, passed May 7, 1869.

S. B. No. 162—By Mr. Curtiss: To authorize the commissioners of Cuyahoga county to transfer money from the sinking fund of said county to the bridge and general fund.

S. B. No. 163—By Mr. Bingham: To authorize the county commissioners of certain counties to build a store-house and barn.

Attest: S. K. DONAVIN, *Clerk.*

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has passed the following bill, in which the concurrence of the House of Representatives is requested:

S. B. No. 142—By Mr. Tressler: To provide for the removal of the seat of justice of Wood county from the incorporated village of Bowling Green to that of Perrysburg, in said county, and to authorize the mayor and town council of the incorporated village of Perrysburg and the trustees of the township of Perrysburg, in said county, to donate and convey certain property in case of such removal.

Attest: S. K. DONAVIN, *Clerk.*

Said bill was read the first time.

Mr. Mack moved to reconsider the vote by which S. B. No. 127 was lost.

Which was agreed to.

On motion of Mr. McCoy, the further consideration of the bill was postponed until to-morrow.

On motion of Mr. Walker, the third reading of H. B. No. 265 was postponed until Wednesday next.

H. B. No. 347, to authorize the citizens of the village of Brookville, Montgomery, county, to hold a special election, was read the third time.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 58, nays 1, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Armstrong of Guernsey, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Bay, Beach, Bell, Brooke, Case, Carnahan, Chapman of Meigs, Cole, Conklin, Conkright, Eshelman, Ford, Geghan, Green, Haag, Hardy, Heitmann, Hill, Howland, Huston, Inman, Johnson, Loomis, Mack, Marx, McCloud, McCoy, McKinley, McLain, Mesloh, Miller, Murlin, Myers of Fayette, Nelson, Newell, Newton, Pattison, Pearson, Ramsay, Richmond, Robb, Sater, Sherrick, Thompson of Montgomery, Tryon, Van Meter, Varley, Walker, Watson, West and Speaker—58.

Mr. Hoagland voted in the negative.

So the bill passed. The title was agreed to.

On motion of Mr. Mack, the third reading of H. B. No. 111 was postponed until to morrow.

On motion of Mr. Varley, the third reading of H. B. No. 70 was postponed until to morrow.

S. B. No. 128, to authorize the trustees of Cadiz township, Harrison county, to transfer certain money from the railroad fund to the township fund, and to pay certain local bounties, was read the third time.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 61, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Armstrong of Guernsey, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Baskin, Bay, Bell, Boyce, Brooke, Case, Carnahan, Chapman of Meigs, Cole, Conklin, Conkright, Eshelman, Geghan, Gowey, Green, Haag, Heitmann, Hill, Holloway, Howland, Huston, Inman, Johnson, Loomis, Mack, Marx, McCloud, McKinley, McLain, Mesloh, Miller, Moorehead, Murlin, Myers of Fayette, Nelson, Newell, Newton, Norton, Pattison, Pearson, Poe, Richmond, Robb, Sater, Sherrick, Thompson of Montgomery, Tryon, Van Meter, Varley, Walker, Watson, West and Speaker—61.

So the bill passed. The title was agreed to.

The following communication was received from the Governor:

EXCUTIVE DEPARTMENT,
COLUMBUS, *April* 13, 1874.

To the General Assembly:

I have the honor to transmit a communication just received at the Executive office from the board of construction of the Central Lunatic Asylum, to which I invite your immediate attention. I respectfully concur in the recommendations made, and that their request be granted.

Having but one copy, I have sent it to the House of Representatives.

Respectfully, W. ALLEN, *Governor.*

On motion of Mr. Eshelman, said communication was referred to the committee on the Judiciary.

The following bill was introduced and read the first time:

H. B. No. 351—By Mr. Miller: To amend section 4 of an act to amend

sections 28, 181, 313, 314, as amended February 16, 1866, 374, as amended March 29, 1859, 517, 526, 532 and 557 of the code of civil procedure, passed April 18, 1870.

On motion of Mr. Miller, the constitutional rule was dispensed with, and the bill read the second time by its title, and referred to the committee on the Judiciary.

The following bill was introduced and read the first time:

H. B. No. 352—By Mr. McKinley: To amend section 1 of an act entitled an act providing for the election of county auditors, and prescribing their duties, passed April 18, 1870.

On motion of Mr. McKinley, the constitutional rule was dispensed with, and the bill read the second time, and referred to the committee on New Counties and County Affairs.

Mr. Marx submitted the following report:

The committee on Municipal Corporations, to whom was referred S. B. No. 140, to authorize the issuing of floating debt bonds in cities of the first class having a population of less than fifty thousand, having had the same under consideration, report it back, and recommend that it be engrossed and passed.

E. W. Miller, Milt. McCoy,
Guido Marx, Hiram Murlin.
Wm. Bell, Jr.,

Said bill was then ordered to be read the third time to morrow.

Mr. Barnett submitted the following report:

The committee on Roads and Highways, to whom was referred S. B. No. 132, to authorize the commissioners of the counties of Coshocton and Knox to build a bridge across the Mohican river, at or near the village of Rochester, in Tiverton township, Coshocton county, having had the same under consideration, report it back, without recommendation.

B. Neff, Lebbeus Cole,
Robert Barnett, W. H. Conkright,
J. A. Moorehead, E. A. Stone.

Said bill was ordered to be read the third time Thursday next.

Mr. Archer submitted the following report:

The committee on the Judiciary, to whom was referred H. B. No. 327, to prevent county recorders from acting as conveyancers, etc., having had the same under consideration, report it back, and recommend its passage.

C. C. Archer, Wm. W. Beatty,
T. M. Robb, J. M. Pattison,
J. H. Heitmann, C. H. Grosvenor,
J. M. Haag,

Said bill was ordered to be engrossed, and read the third time to-morrow.

Mr. Case submitted the following report:

The committee on Common Schools and School Lands, to whom was referred S. B. No. 115, to authorize the board of education of special school district No. 1, of Hicksville township, Defiance county, Ohio, to borrow money and issue bonds for purchasing site and building a schoolhouse in said special school district, having had the same under consideration, report it back, and recommend its passage.

O. Case, G. W. Light,
Johnson Sherrick, J. A. Moorehead,
H. G. Tryon, A. W. Munson.

Said bill was then ordered to be read the third time to-morrow.

Mr. Murlin submitted the following report:

The committee on Municipal Corporations, to whom was referred S. B. No. 150, to authorize the city of Zanesville, Ohio, to issue bonds and borrow money for the purchase of additional cemetery grounds, having had the same under consideration, report it back, and recommend that it be engrossed and passed.

WM. BELL, JR., HIRAM MURLIN,
O. J. HODGE, MILT. MCCOY.
GUIDO MARX,

Said bill was then ordered to be read the third time Thursday next.

Mr. McCloud submitted the following report:

The committee on Military Affairs, Soldiers' and Sailors' Orphans' Home, to whom was referred S. J. R. No. 34, relating to claims on the General Government, having had the same under consideration, report it back, and recommend its indefinite postponement.

R. C. MCCLOUD, JOHN L. MYERS,
GEO. H. FORD, WM. M. MCKINLEY,
JAMES WATSON, JOHN J. GEGHAN.

Said report was agreed to, and the resolution indefinitely postponed.

Mr. Watson submitted the following report:

The committee on New Counties and County Affairs, to whom was referred S. B. No. 125, to authorize the commissioners of Washington county to levy a tax for constructing a road, having had the same under consideration, report it back, with the following amendment, and recommend its passage:

"Provided, that said additional tax shall first be submitted to a vote of the qualified electors of said county, and a majority thereof shall vote for said additional tax."

JAMES WATSON, SHELDEN NEWTON,
J. B. RAY, E. M. WALKER,
R. RAMSAY, S. A. WEST.

The amendment was agreed to, and said bill ordered to be engrossed, and read the third time Wednesday next.

Mr. Murlin submitted the following report:

The committee on New Counties and County Affairs, to whom was referred S. B. No. 139, to authorize the county commissioners of Hamilton county to become vested with the title of and to sell certain lands, and to use the proceeds thereof, in connection with other funds, for the erection of other buildings for Longview Asylum, having had the same under consideration, report it back, and recommend its passage.

HIRAM MURLIN, SHELDEN NEWTON,
R. RAMSAY, S. A. WEST.

Said bill was ordered to be read the third time this afternoon.

Mr. West submitted the following report:

The committee on New Counties and County Affairs, to whom was referred S. B. No. 146, to authorize the trustees of Manhattan township, Lucas county, Ohio, to borrow money, having had the same under consideration, report it back, and recommend that it be passed.

S. A. WEST, SHELDEN NEWTON,
HIRAM MURLIN, J. B. RAY.
E. M. WALKER,

Said bill was ordered to be read the third time to-morrow.

Mr. West submitted the following report:

The committee on New Counties and County Affairs, to whom was referred H. B. No. 346, to authorize the trustees of Scott township, Adams county, Ohio, to levy a tax and build a foot-bridge across Buck run, in said township, having had the same under consideration, report it back, with the following amendment, and recommend its engrossment and passage when so amended:

In line 1 of section 2, between the words "question" and "for" insert the following: "of taxation."

S. A. West, Shelden Newton,
Hiram Murlin, J. B. Ray.
E. M. Walker,

The amendment was agreed to, and said bill ordered to be engrossed, and read the third time this afternoon.

Mr. West submitted the following report:

The committee on New Counties and County Affairs, to whom was referred H. B. No. 336, to amend an act authorizing county commissioners to levy a tax for road purposes in certain cases, passed April 30, 1869, having had the same under consideration, report it back, and recommend its indefinite postponement.

S. A. West, Shelden Newton,
Hiram Murlin, J. B. Ray.
E. M. Walker,

Said report was agreed to, and the bill indefinitely postponed.

Mr. Ramsay submitted the following report:

The committee on New Counties and County Affairs, to whom was referred S. B. No. 124, to amend section 7 of an act entitled an act to amend an act entitled an act to amend section 7 of an act further to prescribe the duties of county commissioners, passed April 8, 1859, as amended February 26, 1857, passed May 7, 1869, having had the same under consideration, report it back, and recommend its passage.

R. Ramsay, Hiram Murlin,
Shelden Newton, S. A. West.

Said bill was ordered to be read the third time Wednesday next.

Mr. Newell submitted the following report:

The committee on Manufactures and Commerce, to whom was referred S. B. No. 90, to amend sections 1 and 2 of an act entitled an act to amend an act entitled an act to regulate the standard per bushel of stone coal and the measure of cord wood, and to re-number section 3, and repeal sections 1 and 2, passed April 29, 1872, having had the same under consideration, report it back, and recommend its passage.

E. P. Newell, H. H. Mack,
J. H. Mesloh, John P. Holt.
Benj. Inman,

Said bill was ordered to be read the third time Thursday next.

Mr. Miller submitted the following report:

The committee on Municipal Corporations, to whom was referred S. B. No. 48, for the protection of certain burial grounds, having had the same under consideration, report it back, and recommend that it be passed.

E. W. Miller, Guido Marx,
Wm. Bell, Jr., Milt. McCoy.
Hiram Murlin,

Said bill was then ordered to be read the third time on Wednesday next.

Mr. Miller submitted the following report:

The committee on Municipal Corporations, to whom was referred S. B. No. 101, to repeal an act entitled an act to provide for the organization, regulation and more efficient government of the police in cities of the first class which have been advanced to that grade between decennial periods, passed May 5, 1868, and for other purposes, having had the same under consideration, report it back, and recommend that it be indefinitely postponed.

E. W. MILLER, GUIDO MARX,
WM. BELL, JR. MILT. MCCOY.
HIRAM MURLIN,

Said report was agreed to, and the bill indefinitely postponed.

On motion of Mr. Loomis, the House took a recess.

HALF-PAST TWO O'CLOCK P.M.

H. B. No. 346 was read the third time.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 60, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Armstrong of Guernsey, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Barrett, Baskin, Bay, Beach, Beatty, Bell, Boyce, Brooke, Chapman of Meigs, Cole, Conklin, Conkright, Eshelman, Green, Haag, Hardy, Heitmann, Hill, Holt, Huston, Inman, Johnson, Loomis, Mack, Marx, Martin, McCloud, McCoy, McKinley, McLain, Mesloh, Miller, Morris, Munson, Murlin, Myers of Fayette, Neff, Nelson, Newell, Newton, Oren, Ramsay, Richmond, Robb, Sherrick, Stone, Thompson of Montgomery, Van Meter, Varley, Vincent, Watson, Weible and West—60.

So the bill passed. The title was agreed to.

On motion of Mr. Archer, S. B. No. 139 was taken from the table and read the third time.

The question then being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 65, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Armstrong of Guernsey, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Barrett, Baskin, Bay, Beach, Beatty, Bell, Boyce, Brooke, Brunner, Case, Cole, Conklin, Conkright, Eshelmen, Green, Hardy, Haven, Heitmann, Hill, Holloway, Holt, Huston, Inman, Johnson, Loomis, Marx, Martin, McCloud, McCoy, McKinley, McLain, Mesloh, Miller, Morris, Murlin, Myers of Ashland, Myers of Fayette, Nelson, Newell, Newton, Oren, Pattison, Poe, Richmond, Robb, Sater, Sherrick, Stone, Thompson of Montgomery, Tryon, Van Meter, Varley, Vincent, Watson, Weible, West and Williams—65.

So the bill passed. The title was agreed to.

On motion of Mr. West, H. B. No. 55 was taken from the table.

Mr. Oren then moved to recommit the bill to a select committee of one, with instructions to amend as follows:

Strike out all of section 7, and insert the following as section 7: "Nothing in this act shall be so construed as to allow the sheriffs, or clerks of the court any per cent. for the collection of fees and costs which are now paid to said officers out of the county treasury, or to make the county, or the county commissioners of any county, liable to any of the officers

named herein for the payment of any salary or compensation except out of the fees, costs, percentages, allowances and penalties collected by any of these officers respectively."

Mr. Barrett moved to amend the instructions as follows:

Strike out all after the word "counties," in line twenty two, section 4, to and including the word "dollars," in line twenty-seven, section 4, and insert the following: "and in all the counties of this State herein provided for, where a superior court is now or may be hereafter established, the clerk of the court and the sheriff of any such county shall each receive, in addition to the salary herein provided, five hundred dollars per annum."

Which was agreed to.

The question then recurring on the motion of Mr. Oren to recommit said bill, with instructions, as amended by the House, it was agreed to; and Mr. Oren appointed said committee, who on leave, reported the bill back, amended as instructed.

Said bill was then ordered to be re-engrossed.

Mr. Sherrick, on leave, submitted the following report:

The committee on Geology, Mines and Mining, to whom was referred S. B. No. 137, to protect mechanics and other laborers in the quiet and peaceable pursuit of their avocations, having had the same under consideration, report it back, and recommend it be indefinitely postponed.

E. R. P. Baker, Johnson Sherrick,
Wm. Van Meter, T. J. McLain, Jr.
John P. Holt,

Said report was agreed to, and the bill indefinitely postponed.

The House then resumed the consideration of Senate amendments to H. B. No. 175, the special order for this hour.

The question being on agreeing to the first amendment, section 2, the yeas and nays were ordered, and resulted—yeas 71, nays 2, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Armstrong of Guernsey, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Barrett, Bay, Beach, Beatty, Bell, Boyce, Brooke, Case, Carnahan, Chapman of Meigs, Cole, Cooley, Conklin, Conkright, Eshelman, Ford, Gowey, Green, Hardy, Hatfield, Haven, Heitmann, Hill, Hoagland, Holloway, Holt, Howland, Huston, Inman, Johnson, Lewis, Loomis, Marx, Martin, McCloud, McCoy, McKinley, McLain, Moorehead, Marlin, Myers of Ashland, Myers of Fayette, Neff, Nelson, Newell, Newton, Oren, Pattison, Pearson, Poe, Ramsay, Richmond, Robb, Sater, Scott, Sherrick, Stone, Thompson of Montgomery, Tryon, Van Meter, Varley, Vincent, Weible and West—71.

Messrs. Brunner and Norton voted in the negative.

So the amendment was agreed to.

Mr. Eshelman moved to amend the second Senate amendment to section 2 as follows:

Strike out "two," and insert "four."

Which was agreed to.

The question then being on agreeing to the Senate amendment, as amended by the House, the yeas and nays were ordered, and resulted—yeas 62, nays 4, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Guernsey, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barrett, Bay, Beach, Bell, Boyce, Brooke, Case, Carnahan, Chapman of Meigs, Cooley, Conklin, Conkright, Eshelmann, Hardy, Haven, Heitmann, Hill, Hoagland, Holloway, Holt, Howland,

Huston, Inman, Johnson, Kemp, Lewis, Mack, Marx, Martin, McCloud, McKinley, McLain, Moorehead, Morris, Murlin, Myers of Ashland, Myers of Fayette, Neff, Newell, Newton, Oren, Pattison, Pearson, Poe, Ramsay, Richmond, Robb, Sater, Scott, Sherrick, Stone, Tryon, Van Meter, Vincent, Weible, West and Williams—62.

Messrs. Brunner, McCoy, Nelson, and Thompson of Montgomery voted in the negative.

So the amendment was agreed to.

The question being on agreeing to the third amendment to section 2, the yeas and nays were ordered, and resulted—yeas 10, nays 56, as follows:

Those who voted in the affirmative were—

Messrs. Barnett, Beatty, Case, Green, Lewis, McCoy, McKinley, Moorehead, Murlin and Speaker—10.

Those who voted in the negative were—

Messrs. Archer, Armstrong of Belmont, Armstrong of Guernsey, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Bay, Beach, Bell, Boyce, Brooke, Brunner, Carnahan, Chapman of Meigs, Cole, Conklin, Conkright, Eshelman, Hardy, Hatfield, Haven, Heitmann, Hill, Hoagland, Holloway, Holt, Huston, Inman, Johnson, Kemp, Mack, Martin, McCloud, Morris, Myers of Ashland, Myers of Fayette, Neff, Nelson, Newton, Oren, Pearson, Poe, Ramsay, Richmond, Robb, Sater, Sheppard, Sherrick, Stone, Thompson of Montgomery, Tryon, Van Meter, Varley, Vincent, Weible and Williams—56.

So the amendment was disagreed to.

By unanimous consent, the question was taken on agreeing to the fourth and fifth amendments to section 2; on which the yeas and nays were ordered, and resulted—yeas 63, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Armstrong of Guernsey, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Bay, Beach, Bell, Boyce, Brooke, Case, Carnahan, Chapman of Meigs, Cole, Cooley, Conklin, Eshelman, Ford, Hardy, Heitmann, Hill, Hoagland, Holloway, Holt, Howland, Huston, Inman, Johnson, Kemp, Lewis, Loomis, Mack, Marx, Martin, McCloud, McCoy, McKinley, McLain, Moorehead, Morris, Myers of Ashland, Myers of Fayette, Neff, Nelson, Newell, Newton, Pattison, Pearson, Ramsay, Richmond, Robb, Sater, Scott, Sherrick, Stone, Thompson of Montgomery, Tryon, Van Meter, Varley, Vincent, Weible and Williams—63.

So the amendments were agreed to.

The question being on agreeing to the sixth amendment to section 2, the yeas and nays were ordered, and resulted—yeas 66, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Armstrong of Guernsey, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Barrett, Bay, Beach, Beatty, Bell, Boyce, Brooke, Case, Carnahan, Cole, Cooley, Conklin, Conkright, Eshelman, Ford, Geghan, Hatfield, Haven, Heitmann, Hill, Hoagland, Holloway, Holt, Huston, Inman, Johnson, Kemp, Lewis, Loomis, Mack, Marx, Martin, McCloud, McKinley, McLain, Mesloh, Murlin, Myers of Ashland, Myers of Fayette, Neff, Nelson, Newton, Pattison, Pearson, Poe, Ramsay, Richmond, Sater, Sheppard, Sherrick, Stone, Thompson of Montgomery, Tryon, Van Meter, Varley, Vincent, Weible, West and Williams—66.

So the amendment was agreed to.

By unanimous consent, the question was put on agreeing to the seventh and eighth amendments to section 2.

The yeas and nays were ordered, and resulted—yeas 64, nays 4, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Armstrong of Guernsey, Baker of Coshocton, Baker of Perry, Bay, Beach, Beatty, Boyce, Brooke, Case, Cole, Cooley, Conklin, Conkright, Eshelman, Gowey, Green, Heitmann, Hill, Hoagland, Holt, Howland, Huston, Inman, Johnson, Kemp, Lewis, Loomis, Mack, Marx, Martin, McCloud, McKinley, McLain, Mesloh, Moorehead, Morris, Myers of Ashland, Myers of Fayette, Neff, Nelson, Newton, Oren, Pattison, Pearson, Poe, Ramsay, Richmond, Robb, Sater, Scott, Sheppard, Sherrick, Stone, Thompson of Montgomery, Tryon, Van Meter, Varley, Vincent, Weible and Williams—64.

Messrs. Barnett, Brunner, Norton and West voted in the negative.

So the amendments were agreed to.

The question being on agreeing to the ninth amendment, section 2, the yeas and nays were ordered, and resulted—yeas 29, nays 24, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Belmont, Bay, Carnahan, Conklin, Conkright, Eshelman, Ford, Green, Hatfield, Heitmann, Hill, Hoagland, Holt, Howland, Huston, Inman, McCloud, McKinley, McLain, Myers of Fayette, Norton, Pearson, Robb, Sater, Scott, Stone, Thompson of Montgomery, Weible and West—29.

Those who voted in the negative were—

Messrs. Archer, Baker of Coshocton, Baskin, Beach, Beatty, Boyce, Brooke, Brunner, Case, Cole, Johnson, Loomis, Morris, Myers of Ashland, Neff, Newton, Pattison, Ramsay, Richmond, Sheppard, Sherrick, Van Meter, Vincent and Williams—24.

So the amendment was disagreed to.

Mr. Scott moved to amend the tenth amendment as follows:

Strike out of Senate amendment No. 10, section 2, all except the words "In line 68 strike out 'trustees,' and insert 'commissioners.'"

Which was agreed to.

The question then being on agreeing to the tenth amendment, section 2, as amended by the House, the yeas and nays were ordered, and resulted—yeas 63, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Armstrong of Guernsey, Baker of Coshocton, Baker of Fairfield, Barrett, Bay, Beatty, Boyce, Brooke, Case, Carnahan, Chapman of Meigs, Cole, Cooley, Conklin, Conkright, Eshelman, Ford, Hardy, Hatfield, Haven, Heitmann, Hoagland, Holloway, Holt, Howland, Huston, Inman, Johnson, Kemp, Lewis, Loomis, Marx, Martin, McCloud, McKinley, McLain, Moorehead, Myers of Ashland, Neff, Nelson, Newell, Newton, Pattison, Pearson, Poe, Ramsay, Richmond, Robb, Scott, Sheppard, Sherrick, Stone, Thompson of Montgomery, Tryon, Van Meter, Varley, Vincent, Weible, West, Williams and Speaker—63.

So the amendment was agreed to.

Mr. Cooley moved to reconsider the vote by which H. B. No. 320, to regulate Ohio Soldiers' and Sailors' Orphans' Home, located at Xenia, and to repeal an act entitled an act to establish Ohio Soldiers' and Sailors' Orphans' Home, passed April 14, 1870; also, an act entitled an act to amend section 6 of an act to establish Ohio Soldiers' and Sailors' Orphans' Home, passed April 25, 1872, was passed.

Mr. Oren moved to lay the motion to reconsider on the table.

On which motion the yeas and nays were demanded, ordered, and resulted—yeas 55, nays 14, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Baker of Coshocton, Barrett, Baskin, Bay, Beach, Brooke, Brunner, Carnahan, Chapman of Meigs, Cole, Cooley, Conklin, Eshelman, Ford, Green, Hardy, Heitmann, Hill, Holloway, Holt, Howland, Huston, Inman, Johnson, Lewis, Light, Loomis, Marx, Martin, McCloud, McCoy, McLain, Mesloh, Morris, Myers of Fayette, Neff, Newell, Newton, Norton, Oren, Pattison, Ramsay, Richmond, Robb, Sheppard, Stone, Thompson of Montgomery, Tryon, Varley, Vincent, Watson, Weible and Williams—55.

Those who voted in the negative were—

Messrs. Baker of Perry, Barnett, Beatty, Case, Haven, Hoagland, Kemp, McKinley, Nelson, Poe, Sater, Scott, Sherrick and Van Meter—14.

So the motion was agreed to.

The question being on agreeing to the eleventh amendment to section 2, the yeas and nays were ordered, and resulted—yeas 60, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Guernsey, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Barrett, Bay, Beach, Beatty, Boyce, Brooke, Case, Carnahan, Cole, Cooley, Conklin, Conkright, Eshelman, Ford, Gowey, Hardy, Hatfield, Haven, Heitmann, Hill, Hoagland, Holloway, Howland, Inman, Kemp, Lewis, Light, Marx, Martin, McCloud, McCoy, McKinley, McLain, Mesloh, Moorehead, Myers of Ashland, Myers of Fayette, Neff, Newell, Newton, Ramsay, Richmond, Robb, Sater, Scott, Sherrick, Stone, Thompson of Montgomery, Van Meter, Vincent, Weible, West and Williams—60.

So the amendment was agreed to.

The question being on agreeing to the twelfth amendment to section 2, the yeas and nays were ordered, and resulted—yeas 57, nays 1, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Armstrong of Guernsey, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Barrett, Baskin, Bay, Boyce, Brooke, Case, Carnahan, Chapman of Meigs, Cole, Conklin, Conkright, Eshelman, Green, Hardy, Hatfield, Heitmann, Hill, Hoagland, Holt, Howland, Inman, Johnson, Kemp, Lewis, Mack, Marx, McCloud, McKinley, McLain, Mesloh, Moorehead, Morris, Myers of Ashland, Myers of Fayette, Neff, Nelson, Newton, Pattison, Poe, Ramsay, Richmond, Robb, Sater, Sherrick, Thompson of Montgomery, Van Meter, Vincent, Weible, West and Williams—57.

Mr. Varley voted in the negative.

So the amendment was agreed to.

Mr. Eshelman moved to amend the thirteenth amendment to section 2 as follows: By striking out "forty," and inserting "forty-one."

Which was agreed to.

The question being on agreeing to the thirteenth amendment, as amended by the House, the yeas and nays were ordered, and resulted—yeas 61, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Belmont, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Barrett, Baskin, Bay, Beach, Boyce, Brooke, Case, Carnahan, Chapman of Meigs, Cole, Cooley, Conklin, Conkright,

Eshelman, Green, Hardy, Hatfield, Haven, Heitmann, Hill, Hoagland, Holt, Howland, Huston, Inman, Johnson, Kemp, Lewis, Loomis, Mack, Marx, Martin, McCloud, McKinley, McLain, Mesloh, Moorehead, Morris, Myers of Fayette, Neff, Nelson, Newton, Pattison, Poe, Ramsay, Richmond, Robb, Sheppard, Sherrick, Thompson of Montgomery, Van Meter, Varley, Vincent, Weible, West and Williams—61.

So the amendment was agreed to.

Mr. Eshelman moved to amend the fourteenth amendment as follows: By striking out "twenty-five hundred," and inserting "four thousand."

Which was agreed to.

The question then being on agreeing to the fourteenth amendment, as amended by the House, the yeas and nays were ordered, and resulted—yeas 57, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Armstrong of Guernsey, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Barrett, Baskin, Bay, Beatty, Boyce, Brooke, Case, Carnahan, Chapman of Meigs, Cole, Conklin, Conkright, Eshelman, Green, Hatfield, Heitmann, Hill, Hoagland, Holloway, Howland, Huston, Inman, Johnson, Kemp, Lewis, Loomis, Mack, McCloud, McLain, Mesloh, Murlin, Myers of Ashland, Myers of Fayette, Nelson, Newton, Pattison, Ramsay, Richmond, Robb, Sater, Scott, Sheppard, Sherrick, Thompson of Montgomery, Van Meter, Vincent, Weible, West, Williams and Speaker—57.

So the amendment was agreed to.

The question being on agreeing to the fifteenth amendment to section 2, the yeas and nays were ordered, and resulted—yeas 67, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Armstrong of Guernsey, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Barrett, Baskin, Bay, Beach, Beatty, Boyce, Brooke, Case, Carnahan, Chapman of Meigs, Cole, Conkright, Eshelman, Ford, Hatfield, Heitmann, Hill, Hoagland, Holloway, Holt, Howland, Huston, Inman, Johnson, Kemp, Lewis, Light, Loomis, Mack, Marx, Martin, McCloud, McKinley, McLain, Mesloh, Moorehead, Murlin, Myers of Ashland, Myers of Fayette, Neff, Nelson, Newton, Pattison, Pearson, Ramsay, Richmond, Robb, Sater, Scott, Sheppard, Sherrick, Thompson of Montgomery, Tryon, Van Meter, Varley, Vincent, Walker, Weible, West and Williams—67.

So the amendment was agreed to.

By unanimous consent, the question was taken on agreeing to the sixteenth, seventeenth and eighteenth amendments, section 2.

On which the yeas and nays were ordered, and resulted—yeas none, nays 70, as follows:

Those who voted in the negative were—

Messrs. Archer, Armstrong of Belmont, Armstrong of Guernsey, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Barrett, Baskin, Beach, Beatty, Boyce, Brooke, Brunner, Case, Carnahan, Chapman of Meigs, Cole, Conklin, Conkright, Eshelman, Ford, Green, Hatfield, Haven, Heitmann, Hill, Hoagland, Holloway, Holt, Howland, Huston, Inman, Johnson, Kemp, Light, Loomis, Mack, Marx, Martin, McCloud, McKinley, McLain, Mesloh, Moorehead, Morris, Murlin, Myers of Ashland, Myers of Fayette, Neff, Nelson, Newton, Oren, Pattison, Ramsay, Richmond, Robb, Sater, Scott, Sheppard, Thompson of Montgomery, Tryon, Van Meter, Varley, Vincent, Walker, Weible, West and Williams—70.

So the amendments were disagreed to.

The question being on agreeing to the nineteenth amendment, section 2, the yeas and nays were ordered, and resulted—yeas 56, nays 3, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Armstrong of Guernsey, Baker of Coshocton, Baker of Fairfield, Barrett, Bay, Beatty, Boyce, Brooke, Carnahan, Chapman of Meigs, Cooley, Conklin, Conkright, Eshelman, Green, Haven, Heitmann, Hill, Hoagland, Holt, Howland, Inman, Johnson, Kemp, Light, Loomis, Marx, Martin, McCloud, McKinley, McLain, Mesloh, Murlin, Myers of Ashland, Myers of Fayette, Neff, Nelson, Oren, Pattison, Ramsay, Richmond, Robb, Sater, Scott, Sherrick, Thompson of Montgomery, Tryon, Van Meter, Varley, Vincent, Walker, Weible, West and Williams—56.

Messrs. Baker of Perry, Morris and Newton voted in the negative.

So the amendment was agreed to.

The question being on agreeing to the twentieth amendment, section 2, the yeas and nays were ordered, and resulted—yeas 65, nays 1, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Armstrong of Guernsey, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Barrett, Baskin, Bay, Boyce, Brooke, Case, Carnahan, Chapman of Meigs Cole, Cooley, Conklin, Conkright, Eshelman, Ford, Green, Hatfield, Haven, Heitmann, Hill, Hoagland, Holt, Howland, Huston, Inman, Johnson, Kemp, Light, Loomis, Marx, Martin, McCloud, McKinley, McLain, Mesloh, Moorehead, Morris, Murlin, Myers of Ashland, Myers of Fayette, Nelson, Newton, Oren, Pattison, Pearson, Ramsay, Richmond, Robb, Scott, Sheppard, Sherrick, Van Meter, Varley, Vincent, Walker, Weible, West, Williams and Speaker—65.

Mr. McCoy voted in the negative.

So the amendment was agreed to.

The question being on agreeing to the twenty-first amendment, section 2, the yeas and nays were ordered, and resulted—yeas 60, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Armstrong of Guernsey, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Barrett, Bay, Beach, Beatty, Brooke, Case, Carnahan, Chapman of Meigs, Cole, Cooley, Conklin, Conkright, Eshelman, Ford, Hatfield, Haven, Heitmann, Hill, Hoagland, Holt, Howland, Inman, Johnson, Kemp, Lewis, Light, Loomis, Marx, Martin, McCloud, McLain, Mesloh, Morris, Murlin, Myers of Ashland, Myers of Fayette, Newton, Pattison, Pearson, Ramsay, Richmond, Robb, Scott, Sheppard, Thompson of Montgomery, Tryon, Van Meter Varley, Vincent, Walker, Weible, West and Williams—60.

So the amendment was agreed to.

The question being on agreeing to the twenty second amendment, section 2, the yeas and nays were ordered, and resulted—yeas 26, nays 35, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Beach, Boyce, Case, Geghan, Green, Haven, Holt, Huston, Johnson, Martin, McCloud, McKinley, Miller, Morris, Murlin, Myers of Fayette, Newell, Newton, Oren, Pattison, Sater, Scott, Varley and West—26.

Those who voted in the negative were—

Messrs. Armstrong of Guernsey, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Baskin, Brooke, Brunner, Cole, Conklin, Conkright, Eshelman, Haag, Heitmann, Hill, Hoagland, Inman, Lewis, Loomis, Neff, Nelson, Pearson, Ramsay, Richmond, Robb, Sheppard, Sherrick, Thompson of Montgomery, Tryon, Van Meter, Vincent, Walker, Weible, Williams and Speaker—35.

So the amendment was disagreed to.

The question being on agreeing to the first amendment, section 6, the yeas and nays were ordered, and resulted—yeas 54, nays 13, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Barrett, Bay, Beatty, Boyce, Brooke, Case, Carnahan, Chapman of Meigs, Cole, Cooley, Conkright, Eshelman, Geghan, Gowey, Heitmann, Hoagland, Holt, Howland, Huston, Inman, Johnson, Kemp, Lewis, Loomis, Marx, Martin, McCloud, McKinley, Miller, Morris, Murlin, Myers of Ashland, Myers of Fayette, Neff, Newton, Oren, Pattison, Pearson, Richmond, Scott, Sheppard, Sherrick, Van Meter, Vincent, Walker, Watson, Weible and Williams—54.

Those who voted in the negative were—

Messrs. Archer, Beach, Conklin, Green, Haag, Hatfield, Haven, Light, McCoy, Sater, Thompson of Montgomery, West and Speaker—13.

So the amendment was agreed to.

Mr. Beatty moved that the further consideration of Senate amendments to H. B. No. 175 be postponed until 10 o'clock to-morrow morning.

Which was disagreed to.

Mr. Scott demanded a call of the House, and 77 members answered to their names.

The absentees were Messrs. Blake, Brunner, Chapman of Cuyahoga, Coler, Duncan, Eidson, Faxon, Ford, Gordon, Grosvenor, Harrison, Herron, Hodge, Holloway, Mack, Mann, McLain, Parker, Ray, Richards, Stone, Thompson of Lucas, Watson and White.

The Sergeant-at-Arms was dispatched for absentees.

Messrs. Bell, Hardy, Nelson and Munson appeared within the bar of the House and answered to the call.

On motion of Mr. Scott, Mr. Blake was granted leave of absence until Wednesday next.

On motion of Mr. Baker of Fairfield, all further proceedings under the call were dispensed with.

On motion of Mr. Scott, the further consideration of Senate amendments to H. B. No. 175 was postponed until 10½ o'clock A.M. to-morrow, and made the special order for that hour.

Mr. McCoy moved to take from the table the motion of Mr. Cooley for the reconsideration of the vote by which H. B. No. 320 was passed.

On which motion the yeas and nays were ordered, and resulted—yeas 32, nays 52, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Barrett, Bay, Beatty, Brooke, Carnahan, Chapman of Meigs, Cooley, Conkright, Gowey, Haven, Herron, Holt, Howland, Johnson, Loomis, Marx, Martin, Morris, Munson, Myers of Fayette, Neff, Newton, Oren, Ramsay, Richmond, Scott, Tryon, Varley, Vincent and Williams—32.

Those who voted in the negative were—

Messrs. Archer, Baker of Coshocton, Baker of Fairfield, Baker of Perry,

Barnett, Baskin, Beach, Bell, Boyce, Case, Cole, Conklin, Eshelman, Geghan, Green, Haag, Hardy, Hatfield, Heitmann, Hill, Hoagland, Huston, Inman, Kemp, Lewis, Light, McCloud, McCoy, McKinley, Mesloh, Miller, Moorehead, Murlin, Myers of Ashland, Nelson, Newell, Norton, Pattison, Pearson, Poe, Robb, Sater, Sheppard, Sherrick, Thompson of Montgomery, Van Meter, Walker, Watson, Weible, West and Speaker —52.

So the motion was disagreed to.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has agreed to the report of the committee of conference on House amendments to S. B. No. 71, to amend the act entitled an act to establish and maintain an agricultural and mechanical college in Ohio, passed March 22, 1870.

Attest: S. K. DONAVIN, *Clerk.*

Mr. Conklin submitted the following report:

The committee of conference on S. B. No. 71 recommend that the first amendment proposed by the House of Representatives be amended by adding at the end thereof the following words: "except upon the approval of the Governor," and that when so amended, it be adopted. The committee further recommend that the House of Representatives recede from its second amendment, which proposes to insert in line six of section 1, after the word "members," the words "at least three of whom shall be practical agriculturists."

V. WORTHINGTON,	WM. T. CONKLIN,
DAVID B. CORWIN,	MILT. MCCOY,
H. V. KERR,	J. N. OREN,
Senate Committee.	*House Committee.*

The question being on agreeing to the report of the committee of conference, the yeas and nays were ordered, and resulted—yeas 55, nays 19, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Bay, Bell, Boyce, Brooke, Case, Carnahan, Cole, Conklin, Eshelman, Geghan, Green, Haag, Hardy, Haven, Heitmann, Hill, Hoagland, Inman, Kemp, Lewis, Light, Mann, Martin, McCoy, McKinley, Mesloh, Miller, Moorehead, Murlin, Myers of Ashland, Neff, Nelson, Newell, Norton, Pattison, Pearson, Poe, Richmond, Robb, Scott, Sheppard, Sherrick, Thompson of Montgomery, Tryon, Van Meter, Varley, Walker, Weible, West and Speaker—55.

Those who voted in the negative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Barrett, Baskin, Beach, Beatty, Chapman of Meigs, Cooley, Gowey, Hatfield, Herron, Howland, Johnson, Morris, Munson, Myers of Fayette, Oren, Vincent and Williams—19.

So the report of the committee was agreed to.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has concurred in the passage of H. B. No. 324, to authorize the commissioners of Scioto county to levy an additional tax.

Attest: S. K. DONAVIN, *Clerk.*

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has concurred in the passage of H. B. No. 300, to authorize the Madison County Agricultural Society to sell and convey certain lands, with the following amendments, in which the concurrence of the House of Representatives is requested:

Strike out in the sixth line of section 1, after the word "the" and before the word "may," the word "stockholders," and insert the words "directors of said society." Strike out in the first line of section 2 the word "to," and insert the word "shall." Strike out in the second and third lines of said section the words "sufficient to accommodate the demand," and insert in place thereof the words "for the use."

Attest: S. K. DONAVIN, *Clerk.*

The question being on agreeing to the Senate amendments to said bill, the yeas and nays were ordered, and resulted—yeas 54, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Baskin, Bay, Beach, Bell, Boyce, Brooke, Case, Carnahan, Chapman of Meigs, Cole, Conklin, Eshelman, Geghan, Green, Haag, Hardy, Haven, Heitmann, Hill, Holt, Inman, Johnson, Kemp, Light, Marx, Martin, McCloud, Mesloh, Miller, Moorehead, Munson, Murlin, Myers of Ashland, Nelson, Newell, Newton, Norton, Pattison, Pearson, Poe, Sherrick, Thompson of Montgomery, Tryon, Van Meter, Varley, Vincent, Walker, Weible and West—54.

So the amendments were agreed to.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has indefinitely postponed the following bills:

H. B. No. 79: For the repeal of an act entitled an act for the disposition of unclaimed costs, passed May 5, 1873.

H. B. No. 242: Supplementary to an act entitled an act to require mortgages or bills of sale of personal property to be deposited with the township clerks, passed February 24, 1846.

Attest: S. K. DONAVIN, *Clerk.*

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has concurred in the passage of H. B. No. 67, to more effectively provide for locating, establishing and constructing ditches, drains and water-courses in townships, and to repeal certain acts therein named.

Attest: S. K. DONAVIN, *Clerk.*

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has concurred in the passage of H. B. No. 312, to amend section 29 of an act establishing the superior court for the city of Cleveland, passed May 5, 1873, with the following amendment, in which the concurrence of the House of Representatives is requested:

At the end of section 1, after the word "city," insert the following "But said court shall not have jurisdiction in any case when all of th defendants reside outside of the limits of said ci y of Cleveland; and any

summons or other process issued by said court, and served upon any such defendant or defendants, within the limits of said city of Cleveland, shall be null and void and of no effect."

Attest: S. K. DONAVIN, *Clerk.*

The question being on agreeing to the Senate amendment to said bill, the yeas and nays were ordered, and resulted—yeas 65, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Barrett, Baskin, Beach, Bell, Boyce, Brooke, Case, Carnahan, Chapman of Meigs, Cole, Cooley, Conklin, Conkright, Eshelman, Geghan, Hardy, Haven, Heitmann, Hill, Hoagland, Holt, Howland, Huston, Inman, Johnson, Kemp, Lewis, Light, Marx, McCloud, McCoy, Mesloh, Miller, Moorehead, Morris, Munson, Murlin, Myers of Ashland, Myers of Fayette, Nelson, Newell, Newton, Norton, Oren, Pattison, Pearson, Poe, Richmond, Robb, Scott, Sherrick, Thompson of Montgomery, Tryon, Van Meter, Varley, Vincent, Walker, Weible, Williams and Speaker—65.

So the amendment was agreed to.

On motion of Mr. Scott, the vote by which H. B. No. 341 was ordered to a third reading Tuesday next was reconsidered.

Mr. Boyce submitted the following report:

The committee on Revision have examined, and found correctly engrossed, House Bills Nos. 229, 330 and 341.

GEO. W. BOYCE, WILLIAM M. MCKINLEY,
JON. MORRIS, JOHNSON SHERRICK.

On motion of Mr. Scott, H. B. No. 341, for the relief of William Van Doren, was read the third time.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 71, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Armstrong of Guernsey, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Barrett, Baskin, Bay, Beach, Bell, Boyce, Brooke, Case, Carnahan, Chapman of Meigs, Cole, Cooley, Conklin, Conkright, Eshelman, Geghan, Green, Haag, Hardy, Hatfield, Haven, Heitmann, Herron, Hill, Hoagland, Howland, Huston, Inman, Johnson, Kemp, Lewis, Light, Marx, Martin, McCloud, McCoy, McKinley, Miller, Moorehead, Munson, Murlin, Myers of Ashland, Myers of Fayette, Neff, Nelson, Newell, Newton, Norton, Oren, Richmond, Robb, Scott, Sheppard, Sherrick, Thompson of Montgomery, Tryon, Van Meter, Varley, Vincent, Walker, Watson, Weible, Williams and Speaker—71.

So the bill passed. The title was agreed to.

On motion of Mr. Haag, the House adjourned.

Attest: THOMAS COUGHLIN, *Clerk.*

TUESDAY, APRIL 14, 1874—10 o'clock A.M.

The House met pursuant to adjournment.

Prayer by Rev. Mr. Johnson.

The Journal was read and approved.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The following bills have been introduced in the Senate, and read the first time:

S. B. No. 164—By Mr. Reid: To amend section 522 of an act entitled an act to establish a code of civil procedure, passed March 11, 1853. (S. & C., pp. 1105, 1106.)

S. B. No. 165—By Mr. Potter: To authorize the election of two additional judges of the court of common pleas in the county of Cuyahoga.

S. B. No. 166—By Mr. Yeoman: To amend section 2 of an act entitled an act to organize a board of commissioners for the construction of the Central Lunatic Asylum.

S. B. No. 167—By Mr. Reid: To authorize the Governor to make removals from office.

Attest: S. K. DONAVIN, *Clerk.*

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has passed the following bill, in which the concurrence of the House of Representatives is requested:

S. B. No. 99—By Mr. Goodhue: To authorize the incorporation of companies for the sale of goods and merchandise.

Attest: S. K. DONAVIN, *Clerk.*

Said bill was read the first time.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has refused to concur in the passage of H. B. No. 181, to attach Pickaway county to the second sub-division of the fifth judicial district.

Attest: S. K. DONAVIN, *Clerk.*

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has adopted the following joint resolution, in which the concurrence of the House of Representatives is requested:

S. J. R. No. 39—By Mr. Hathaway: Directing the clerks of the two houses to prepare a calendar of unfinished business.

Attest: S. K. DONAVIN, *Clerk.*

The question being on the adoption of said resolution, the yeas and nays were ordered, and resulted—yeas 69, nays 3, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Armstrong of Guernsey, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barrett, Baskin, Bay, Beach, Beatty, Boyce, Brooke, Brunner, Case, Carnahan, Chapman of Cuyahoga, Cole, Conklin, Conkright, Duncan, Eidson, Eshelman, Geghan, Haag, Hardy, Hatfield, Haven, Herron, Hill, Holt, Inman, Johnson, Kemp, Light, Mack, Mann, Martin, McCoy, McKinley, McLain, Mesloh, Miller, Morris, Munson, Myers of Ashland, Myers of Fayette, Neff, Nelson, Newton, Norton, Oren, Pattison, Poe, Ramsay, Ray, Richards, Richmond, Robb, Sater, Scott, Thompson of Montgomery, Tryon, Van Meter, Varley, Vincent, Walker, West and Williams—69.

Messrs. Heitmann, Hoagland and Loomis voted in the negative.

So the resolution was adopted.

Mr. Haag moved to suspend the rule of the House, and also to dispense with the constitutional rule, and that S. B. No. 142, to provide for the removal of the county seat of Wood county, be read now the second time by its title.

On which the yeas and nays were demanded, ordered, and resulted—yeas 46, nays 26, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Baker of Coshocton, Brunner, Case, Carnahan, Chapman of Cuyahoga, Cole, Eidson, Eshelman, Ford, Gowey, Haag, Hardy, Hatfield, Heitmann, Herron, Hill, Holt, Johnson, Kemp, Lewis, Light, Mann, Marx, McLain, Miller, Morris, Murlin, Myers of Fayette, Newton, Norton, Pattison, Pearson, Ramsay, Richards, Richmond, Robb, Sater, Scott, Sheppard, Tryon, Van Meter, Walker, West and Williams—46.

Those who voted in the negative were—

Messrs. Armstrong of Guernsey, Baker of Fairfield, Barnett, Barrett, Bay, Beatty, Brooke, Conklin, Conkright, Duncan, Haven, Hoagland, Inman, Loomis, Mack, Martin, Munson, Neff, Oren Ray, Sherrick, Stone, Thompson of Montgomery, Vincent, Weible and White—26.

So the motion was disagreed to.

The House then took up for consideration Senate amendments to H. B. No. 175, the special order for this hour.

Mr. Scott moved a reconsideration of the vote by which the tenth amendment to section 2 was agreed to.

Which was agreed to.

Mr. Scott then offered the following amendment:

Add after line 77, same section, the words, "To pay expenses of taking care of farm and other State property, three thousand dollars."

Mr. Conklin moved to amend the amendment by striking out "three thousand," and inserting "two thousand."

Which was agreed to.

The question then recurring on Mr. Scott's amendment, as amended by the House, it was agreed to.

The question then being on agreeing to the tenth amendment as amended, the yeas and nays were ordered, and resulted—yeas 64, nays 2, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Guernsey, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Barrett, Baskin, Bay, Beach, Boyce, Brooke, Case, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Cole, Conkright, Duncan, Eidson, Eshelman, Ford, Geghan, Gowey, Green, Grosvenor, Hatfield, Heitmann, Herron, Hoagland, Holloway, Huston, Inman, Johnson, Light, Martin, McCoy, McKinley, McLain, Mesloh, Miller, Morris, Munson, Murlin, Myers of Ashland, Myers of Fayette, Nelson, Newton, Poe, Ramsay, Ray, Richards, Richmond, Robb, Scott, Sherrick, Stone, Thompson of Montgomery, Tryon, Vincent, Walker, Weible, West and Williams—64.

Messrs. Brunner and White voted in the negative.

So the amendment was agreed to.

The question being on agreeing to the eighth amendment, section 1, heretofore informally passed,

Mr. McCoy moved to amend the amendment by striking out "sixty thousand," and inserting "thirty thousand."

Which was disagreed to.

The question then being on agreeing to the eighth amendment, section 1, the yeas and nays were ordered, and resulted—yeas 58, nays 30, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barrett, Bay, Beatty, Brooke, Case, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Duncan, Eidson, Ford, Geghan, Gowey, Grosvenor, Haven, Heitmann, Herron, Holt, Howland, Johnson, Kemp, Lewis, Loomis, Mack, Mann, Marx, Martin, McLain, Mesloh, Morris, Munson, Myers of Fayette, Neff, Newton, Norton, Oren, Pattison, Pearson, Ramsay, Ray, Richards, Richmond, Robb, Scott, Sherrick, Stone, Tryon, Van Meter, Varley, Vincent, Walker, Watson and Williams—58.

Those who voted in the negative were—

Messrs. Archer, Barnett, Baskin, Boyce, Brunner, Cole, Conklin, Conkright, Eshelman, Haag, Hardy, Hatfield, Hill, Hoagland, Huston, Inman, Light, McCoy, McKinley, Miller, Moorehead, Murlin, Nelson, Sater, Sheppard, Thompson of Montgomery, Weible, West and White—30.

So the amendment was agreed to.

The question being on agreeing to the twelfth amendment, section 1, heretofore informally passed, the yeas and nays were ordered, and resulted—yeas 15, nays 49, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Guernsey, Beatty, Cooley, Ford, Gowey, Loomis, Mann, Martin, Myers of Fayette, Ray, Richmond, Sater, Scott, Sherrick and Williams—15.

Those who voted in the negative were—

Messrs. Archer, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Baskin, Bay, Beach, Boyce, Brooke, Brunner, Case, Carnahan, Chapman of Meigs, Cole, Conklin, Conkright, Duncan, Eidson, Green, Hatfield, Heitmann, Hill, Hoagland, Huston, Inman, Johnson, Kemp, Light, McCoy, McKinley, Miller, Murlin, Nelson, Newell, Newton, Oren, Pattison, Robb, Sheppard, Thompson of Montgomery, Tryon, Van Meter, Vincent, Walker Watson, Weible, West and White—49.

So the amendment was disagreed to.

The question being on agreeing to the thirteenth amendment, section 1, heretofore informally passed, the yeas and nays were ordered, and resulted—yeas 18, nays 48, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Baker of Fairfield, Baker of Perry, Barnett, Bay, Ford, Haven, Heitmann, Herron, Holt, Mann, Martin, Morris, Nelson, Stone, Thompson of Montgomery, and White—18.

Those who voted in the negative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Baker of Coshocton, Barrett, Baskin, Beach, Beatty, Boyce, Brooke, Brunner, Case, Chapman of Cuyahoga, Cole, Cooley, Conkright, Duncan, Eshelman, Hatfield, Hill, Howland, Inman, Johnson, Kemp, Light, Loomis, Mack, McKinley, Miller, Munson, Murlin, Myers of Fayette, Neff, Newton, Oren, Ramsay, Ray, Richards, Richmond, Robb, Sater, Scott, Sherrick, Van Meter, Vincent, Walker, Weible, West and Williams—48.

So the amendment was disagreed to.

Mr. Martin moved a reconsideration of the vote whereby the amendment was lost.

Which was disagreed to.

The question being on agreeing to the fourteenth amendment, section

1, heretofore informally passed, the yeas and nays were ordered, and resulted—yeas 79, nays 7, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Armstrong of Guernsey, Baker of Coshocton, Baker of Fairfield, Barnett, Barrett, Baskin, Bay, Beach, Beatty, Boyce, Brooke, Case, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Cole, Cooley, Conklin, Conkright, Duncan, Eidson, Eshelman, Ford, Green, Grosvenor, Haag, Hardy, Haven, Heitmann, Herron, Hill, Hoagland, Holt, Howland, Huston, Inman, Kemp, Lewis, Loomis, Mack, Mann, Marx, Martin, McCoy, McKinley, McLain, Mesloh, Miller, Moorehead, Munson, Murlin, Myers of Fayette, Neff, Nelson, Pattison, Poe, Ramsay, Ray, Richards, Richmond, Robb, Sater, Scott, Sheppard, Sherrick, Thompson of Montgomery, Tryon, Van Meter, Varley, Vincent, Walker, Watson, Weible, West, White, Williams and Speaker—79.

Those who voted in the negative were—

Messrs. Baker of Perry, Bell, Brunner, Morris, Newton, Norton and Oren—7.

So the amendment was agreed to.

On motion of Mr. Mann, the House took a recess.

HALF-PAST TWO O'CLOCK P.M.

The House resumed the consideration of Senate amendments to H. B. No. 175 heretofore informally passed.

The question being on agreeing to the fifteenth amendment, section 1, the yeas and nays were ordered, and resulted—yeas 28, nays 30, as follows:

Those who voted in the affirmative were—

Messrs. Baker of Coshocton, Bay, Beatty, Brooke, Carnahan, Chapman of Meigs, Green, Grosvenor, Hardy, Hoagland, Holloway, Johnson, Mack, Mann, McLain, Munson, Myers of Fayette, Neff, Ramsay, Robb, Sherrick, Thompson of Montgomery, Van Meter, Varley, Vincent, West, White and Williams—28.

Those who voted in the negative were—

Messrs. Archer, Armstrong of Guernsey, Baker of Fairfield, Baker of Perry, Barnett, Baskin, Beach, Boyce, Brunner, Case, Cole, Conklin, Eidson, Eshelman, Haag, Inman, Kemp, Lewis, McCoy, McKinley, Myers of Ashland, Nelson, Newton, Pearson, Richards, Sater, Scott, Sheppard, Weible and Speaker—30.

So the amendment was disagreed to.

Mr. Eshelman demanded a call of the House, and 79 members answered to their names.

The absentees were Messrs. Bell, Blake, Coler, Faxon, Ford, Geghan, Gowey, Harrison, Hatfield, Hodge, Light, Loomis, Miller, Moorehead, Morris, Murlin, Newell, Norton, Oren, Parker, Pattison, Pearson, Richards, Thompson of Lucas, and Watson.

The Sergeant-at-Arms was dispatched for absentees.

Messrs. Moorehead and Norton appeared within the bar of the House, and answered to the call.

On motion of Mr. Archer, all further proceedings under the call were dispensed with.

The question then being on agreeing to the twenty-first amendment, as amended by the House on Saturday, April 11, the yeas and nays were ordered, and resulted—yeas 72, nays 5, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Armstrong of Guernsey, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Barrett, Bay, Beach, Bell, Boyce, Brooke, Case, Chapman of Cuyahoga, Chapman of Meigs, Cole, Cooley, Conklin, Conkright, Duncan, Eidson, Eshelman, Geghan, Green, Grosvenor, Heitmann, Herron, Hoagland, Holloway, Holt, Howland, Huston, Inman, Johnson, Lewis, Loomis, Mack, Mann, Marx, Martin, McCloud, McKinley, McLain, Mesloh, Moorehead, Myers of Ashland, Myers of Fayette, Neff, Oren, Pearson, Ramsay, Ray, Richards, Richmond, Robb, Sater, Scott, Sheppard, Sherrick, Stone, Thompson of Montgomery, Tryon, Van Meter, Varley, Vincent, Walker, Weible, West, Williams and Speaker—72.

Those who voted in the negative were—

Messrs. Baskin, Brunner, McCoy, Norton and White—5.

So the amendment was agreed to.

The question being on agreeing to the twenty-third amendment, section 1, the yeas and nays were ordered, and resulted—yeas 65, nays 4, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Armstrong of Guernsey, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Baskin, Bay, Boyce, Brooke, Case, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Cole, Cooley, Conklin, Conkright, Duncan, Eidson, Eshelman, Grosvenor, Heitmann, Herron, Hoagland, Holt, Howland, Huston, Inman, Johnson, Kemp, Lewis, Loomis, Mack, Mann, Marx, Martin, McCloud, McKinley, McLain, Moorehead, Myers of Ashland, Myers of Fayette, Neff, Oren, Ramsay, Ray, Richards, Richmond, Robb, Sater, Scott, Sheppard, Sherrick, Stone, Thompson of Montgomery, Van Meter, Varley, Vincent, Walker, Watson, Weible, West, Williams and Speaker—65.

Messrs. Barnett, Beach, Brunner and Nelson voted in the negative.

So the amendment was agreed to.

Mr. Eshelman moved to amend the twenty-sixth amendment, section 1, as follows:

"For the per diem and mileage of members, and the per diem of clerks, sergeants-at-arms and messengers of the General Assembly, in additon to other appropriations, fifteen thousand dollars."

Which was agreed to.

Mr. Haag then moved to amend by striking out the two hundred and fifty dollars for phonographic reporter.

Which was agreed to.

Mr. Scott then moved to add to the contingent expenses of the General Assembly two hunderd and fifty dollars.

Which was agreed to.

The question then being on agreeing to the twenty-sixth amendment, section 1, as amended by the House, the yeas and nays were ordered, and resulted—yeas 72, nays 3, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Bay, Beach, Bell, Boyce, Brooke, Case, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Cole, Cooley, Conklin, Conkright, Duncan, Eidson, Eshelman, Faxon, Green, Grosvenor, Haag, Hardy, Haven, Heitmann, Herron, Hill, Hoagland, Holt, Howland, Huston, Johnson, Kemp, Loomis, Mack, Mann, Marx, Martin, McCloud, McKinley, Mesloh, Moorehead, Morris, Manson, Murlin, Myers of Ash-

land, Myers of Fayette, Neff, Newton, Oren, Pearson, Ramsay, Ray, Richards, Richmond, Robb, Sater, Scott, Sheppard, Sherrick, Stone, Thompson of Montgomery, Tryon, Van Meter, Varley, Vincent, Walker, Weible, West and Williams—72.

Messrs. Nelson, Norton and White voted in the negative.

So the amendment was agreed to.

Mr. Richards moved to reconsider the vote by which the fifteenth amendment, section 1, was lost.

On which motion the yeas and nays were demanded, ordered, and resulted—yeas 67, nays 25, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Armstrong of Guernsey, Baker Coshocton, Barrett, Bay, Beach, Beatty, Bell, Boyce, Brooke, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Cooley, Conkright, Duncan, Eidson, Eshelman, Faxon, Ford, Geghan, Green, Grosvenor, Haven, Herron, Hoagland, Holloway, Holt, Howland, Inman, Johnson, Loomis, Mack, Mann, Marx, Martin, McCloud, McLain, Mesloh, Miller, Morris, Munson, Murlin, Myers of Fayette, Neff, Newton, Pattison, Ramsay, Ray, Richards, Richmond, Robb, Sater, Sherrick, Stone, Thompson of Montgomery, Tryon, Van Meter, Varley, Vincent, Walker, Watson, Weible, West, White and Williams—67.

Those who voted in the negative were—

Messrs. Baker of Fairfield, Baker of Perry, Barnett, Baskin, Brunner, Case, Cole, Conklin, Hardy, Heitmann, Hill, Kemp, Lewis, Light, McCoy, McKinley, Myers of Ashland, Nelson, Newell, Norton, Oren, Pearson, Scott, Sheppard and Speaker—25.

So the motion to reconsider was agreed to.

Mr. Howland then moved to amend the amendment by striking out "two hundred and ninety-five dollars," appropriation for the Lewistown reservior.

Which was disagreed to.

Mr. McCoy moved to amend the amendment by striking out "fourteen hundred and ninety dollars."

On which motion the yeas and nays were demanded, ordered, and resulted—yeas 26, nays 63, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Baskin, Bell, Boyce, Case, Conklin, Heitmann, Johnson, Kemp, Lewis, Marx, McCoy, Mesloh, Nelson, Newell, Norton, Oren, Poe, Ray, Scott and Speaker—26.

Those who voted in the negative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Barrett, Bay, Beach, Beatty, Brooke, Brunner, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Cooley, Conkright, Duncan, Eidson, Eshelman, Faxon, Geghan, Gowey, Green, Grosvenor, Hardy, Haven, Herron, Hill, Hoagland, Holt, Howland, Huston, Loomis, Mack, Mann, Martin, McCloud, McKinley, McLain, Miller, Moorehead, Munson, Murlin, Myers of Ashland, Myers of Fayette, Neff, Newton, Pattison, Ramsay, Richards, Richmond, Robb, Sater, Sheppard, Sherrick, Stone, Thompson of Montgomery, Tryon, Van Meter, Vincent, Walker, Watson, Weible, West, White and Williams—63.

So the motion was disagreed to.

The queston then being on agreeing to the fifteenth amendment, section 1, the yeas and nays were ordered, and resulted—yeas 53, nays 36, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Baker of Coshocton, Barrett, Bay, Beatty, Brooke, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Cole, Cooley, Conkright, Eshelman, Faxon, Geghan, Gordon, Green, Grosvenor, Haven, Herron, Holloway, Holt, Howland, Loomis, Mack, Mann, Martin, McCloud, McLain, Munson, Murlin, Myers of Fayette, Neff, Pattison, Pearson, Poe, Ramsay, Ray, Richards, Richmond, Robb, Stone, Thompson of Montgomery, Tryon, Van Meter, Varley, Vincent, Walker, Weible, West, White and Williams—53.

Those who voted in the negative were—

Messrs. Archer, Baker of Fairfield, Baker of Perry, Barnett, Baskin, Beach, Bell, Boyce, Brunner, Case, Conklin, Eidson, Haag, Hardy, Hatfield, Heitmann, Hill, Hoagland, Inman, Kemp, Lewis, Light, Marx, McCoy, McKinley, Morris, Myers of Ashland, Nelson, Newton, Norton, Oren, Sater, Scott, Sheppard, Watson and Speaker—36.

So the amendment was agreed to.

Mr. Scott presented the protest of Mrs. Clason, Mrs. Thompson, Mrs. Butler and other ladies, in behalf of the Temperance League of Delaware, against the passage of H. B. No. 330, amending section 199 of the municipal code.

Which was read, and referred to the committee on Temperance.

Mr. Armstrong of Guernsey presented the petition of Mrs. L. V. Desellem and 400 other citizen-ladies of Franklin county, Ohio, against the repeal of any of the statute laws of the State now in existence against the use of intoxicating beverages.

Which was read, and referred to the committee of the Whole House.

Mr. Pattison submitted the following report:

The joint committee on Enrollment have examined, and found correctly enrolled, the following bills and joint resolution:

S. B. No. 139: To authorize the county commissioners of Hamilton county to become vested with the title of and to sell certain lands, and to use the proceeds thereof, in connection with other funds, in the erection of additional buildings for Longview Asylum.

S. B. No. 134: Prescribing the terms of sale of section 16 of the original surveyed township No. 10, range 4, in Harrison county.

S. B. No. 130: Supplementary to an act passed April 30, 1869, entitled an act to amend section 4 of an act entitled an act for opening and regulating roads and highways, passed January 27, 1853.

S. B. No. 69: To amend sections 435 and 436 of an act entitled an act to provide for the organization and government of municipal corporations, passed May 7, 1869, and section 435, as amended April 18, 1870.

S. J. R. No. 44: Directing the binding of the Railroad Commissioner's report.

J. C. Fisher,	Henry Hardy,
M. C. Lawrence,	O. B. Chapman,
S. Knox,	J. M. Pattison.

The Speaker, in the presence of the House, signed said bills and joint resolution.

The following bill was read the second time:

S. B. No. 142: To provide for the removal of the seat of justice of Wood county from the incorporated village of Bowling Green to that of Perrysburg, in said county, and to authorize the mayor and town council of the incorporated village of Perrysburg, and the trustees of the township of Perrysburg, in said county, to donate and convey certain property in case of such removal.

Mr. Norton moved to indefinitely postpone the bill.

Mr. Haag moved to recommit said bill to the committee on New Counties and County Affairs.

On which motion the yeas and nays were demanded, ordered, and resulted—yeas 56, nays 29, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Baker of Coshocton, Barrett, Beach, Bell, Boyce, Chapman of Cuyahoga, Cole, Cooley, Duncan, Eidson, Eshelman, Faxon, Ford, Geghan, Gowey, Gordon, Green, Grosvenor, Haag, Hardy, Hatfield, Haven, Heitmann, Holt, Huston, Johnson, Lewis, Mann, Marx, McLain, Miller, Morris, Murlin, Myers of Ashland, Myers of Fayette, Newell, Newton, Pattison, Pearson, Ramsay, Richards, Richmond, Robb, Sater, Scott, Sherrick, Thompson of Montgomery, Van Meter, Varley, Walker, West and Williams—56.

Those who voted in the negative were—

Messrs. Armstrong of Guernsey, Baker of Fairfield, Barnett, Bay, Beatty, Brooke, Brunner, Case, Carnahan, Chapman of Meigs, Conkright, Herron, Hill, Hoagland, Howland, Inman, Martin, McCoy, McKinley, Moorehead, Neff, Norton, Oren, Sheppard, Stone, Vincent, Watson, Weible and White—29.

So the motion was agreed to.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has adopted the following joint resolution, in which the concurrence of the House of Representatives is requested:

S. J. R. No. 47—By Mr. Jones: To provide for the publication of the Ohio State Reports.

Attest: S. K. DONAVIN, *Clerk.*

On motion of Mr. Brunner, said resolution was referred to the committee on Public Printing.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has passed the following bill, in which the concurrence of the House of Representatives is requested:

S. B. No. 110—By Mr. Butterworth: To amend an act entitled an act to provide for the organization and government of municipal corporations, passed May 7, 1869.

Attest: S. K. DONAVIN, *Clerk.*

Said bill was read the first time.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has passed the following bills, in which the concurrence of the House of Representatives is requested:

S. B. No. 145—By Mr. Yeoman: To authorize the trustees of Paint township, Fayette county, Ohio, to divide said township so as to create two election precincts.

S. B. No. 159—By Mr. Yeoman: To authorize the correction of an error in the valuation of a certain piece of property.

Attest: S. K. DONAVIN, *Clerk.*

Said bills were read the first time.

On motion of Mr. Myers of Fayette, the constitutional rule was dispensed with, and S. B. No. 145 was read the second time by its title, and then referred to the committee on New Counties and County Affairs.

On motion of Mr. Oren, the constitutional rule was dispensed with, and S. B. No. 159 was read the second time by its title, and referred to the committee on Finance.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has concurred in the passage of H. B No. 261, to create a joint sub-district for school purposes in the township of Miami, Logan county; Adams township, Champaign county; and Perry township, Shelby county, Ohio, with the following amendments, in which the concurrence of the House of Representatives is requested:

Add after the word "Ohio," in the eighth line of section 2, the words, "Provided, that there shall be elected in the aforesaid sub-district, on the second Monday of May next, three local directors, one to serve for one year, one to serve for two years, and one for three years, in the same manner as is provided by law."

Attest: S. K. DONAVIN, *Clerk.*

The question being on agreeing to the Senate amendments to said bill, the yeas and nays were ordered, and resulted—yeas 76, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Armstrong of Guernsey, Baker of Coshocton, Baker of Perry, Barnett, Barrett, Baskin, Bay, Beach, Beatty, Bell, Boyce, Brooke, Case, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Cole, Cooley, Conklin, Conkright, Duncan, Eidson, Eshelman, Faxon, Geghan, Green, Hatfield, Haven, Heitmann, Herron, Huston, Inman, Johnson, Kemp, Lewis, Loomis, Mack, Mann, Marx, Martin, McCloud, McKinley, McLain, Miller, Moorehead, Morris, Munson, Murlin, Myers of Ashland, Myers of Fayette, Neff, Nelson, Newell, Newton, Norton, Pattison, Pearson, Ramsay, Richards, Richmond, Sater, Sheppard, Sherrick, Stone, Thompson of Montgomery, Van Meter, Varley, Vincent, Walker, Watson, Weible, West, White and Williams—76.

So the amendments were agreed to.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has indefinitely postponed the following bills:

H. B. No. 142: Supplementary to an act entitled an act supplementary to an act making certain instruments of writing negotiable, passed February 25, 1820, passed March 30, 1857.

H. B. No. 211: To amend section 313 of the code of civil procedure, as amended May 7, 1870.

Attest: S. K. DONAVIN, *Clerk.*

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has adopted the following joint resolution, in which the concurrence of the House of Representatives is requested:

S. J. R. No. 42—By Mr. Waddle: Directing the printing of the report of the Agricultural College.

S. J. R. No. 45—By Mr. Knox: Providing for the printing and distributing of the second volume of the final report of the Geological Corps of Ohio.

Attest: S. K. DONAVIN, *Clerk.*

The question being on the adoption of S. J. R. No. 42, the yeas and nays were ordered, and resulted—yeas 73, nays 4, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Guernsey, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barrett, Beach, Beatty, Bell, Boyce, Brooke, Brunner, Case, Carnahan, Chapman of Meigs, Cole, Cooley, Conkright, Duncan, Eidson, Eshelman, Faxon, Geghan, Green, Grosvenor, Hardy, Haven, Heitmann, Herron, Holloway, Holt, Howland, Huston, Inman, Kemp, Lewis, Loomis, Mack, Mann, Marx, Martin, McCloud, McCoy, McKinley, McLain, Miller, Moorehead, Munson, Murlin, Myers of Ashland, Myers of Fayette, Neff, Nelson, Newell, Newton, Oren, Pattison, Poe, Ramsay, Richards, Richmond, Robb, Sater, Sheppard, Stone, Thompson of Montgomery, Van Meter, Vincent, Walker, Watson, Weible, West and Williams—73.

Messrs. Baskin, Bay, Conklin and White voted in the negative.

So the resolution was adopted.

Mr. Brunner moved to refer S. J. R. No. 45 to the committee on Public Printing.

Mr. Baker of Perry moved its reference to the committee on Mines and Mining.

The motion to commit to the committee on Public Printing was first put, and disagreed to.

The motion to commit to the committee on Mines and Mining was then agreed to.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has concurred in the passage of H. B. No. 280, for the consolidation of sub-school districts five and seven, in Rumley township, Harrison county, Ohio, into one sub-school district, to be known as sub-school district number five, with the following amendment, in which the concurrence of the House of Representatives is requested:

In line 6, section 3, strike out the word "April," and insert the word "May" in lieu thereof.

Attest: S. K. DONAVIN, *Clerk.*

The question being on agreeing to the Senate amendment to said bill, the yeas and nays were ordered, and resulted—yeas 68, nays 2, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Barrett, Bay, Beach, Beatty, Boyce, Brooke, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Cole, Cooley, Conkright, Duncan, Eidson, Eshelman, Faxon, Gowey, Green, Grosvenor, Haven, Heitmann, Herron, Hill, Hoagland, Holloway, Huston, Inman, Johnson, Kemp, Lewis, Light, Loomis, Mack, Mann, Marx, Martin, McKinley, McLain, Miller, Moorehead, Morris, Munson, Murlin, Myers of Ashland, Myers of Fayette, Neff, Newell, Newton, Pattison, Pearson, Ramsay, Ray, Richards, Richmond, Sheppard, Sherrick, Stone, Tryon, Varley, Vincent, Weible and Williams—68.

Messrs. Brunner and Case voted in the negative.

So the amendment was agreed to.

Mr. Miller moved a suspension of the rules, and that H. B. No. 244 be now taken from the table.

Which was disagreed to.

On motion of Mr. Lewis, H. B. No. 330, to amend section 199 of an act

entitled an act to provide for the organization and government of municipal corporations, passed May 7, 1869, as amended April 18, 1870, was read the third time.

Mr. Beach demanded a call of the House. Ninety-seven members answered to their names.

The absentees were Messrs. Blake, Coler, Harrison, Eidson, Hodge, Mesloh, Parker, and Thompson of Lucas.

The Sergeant-at-Arms was dispatched for absentees.

Mr. Sherrick moved that further proceedings under the call be dispensed with.

On which motion the yeas and nays were demanded, ordered, and resulted—yeas 46, nays 48, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Baker of Coshocton, Barnett, Barrett, Bay, Beatty, Brooke, Carnahan, Chapman of Meigs, Conkright, Duncan, Ford, Gowey, Grosvenor, Haven, Herron, Holloway, Holt, Howland, Johnson, Loomis, Mack, Mann, Martin, McLain, Morris, Munson, Myers of Fayette, Neff, Newton, Oren, Pattison, Ramsay, Ray, Richards, Scott, Sheppard, Sherrick, Stone, Tryon, Van Meter, Varley, Vincent, Watson and West—46.

Those who voted in the negative were—

Messrs. Archer, Baker of Fairfield, Baker of Perry, Baskin, Beach, Bell, Boyce, Brunner, Case, Cole, Cooley, Conklin, Eidson, Eshelman, Faxon, Geghan, Gordon, Green, Haag, Hardy, Hatfield, Heitmann, Hill, Hoagland, Huston, Inman, Kemp, Lewis, Light, Marx, McCloud, McCoy, McKinley, Miller, Murlin, Myers of Ashland, Nelson, Newell, Norton, Pearson, Poe, Richmond, Robb, Sater, Thompson of Montgomery, Walker, Weible and White—48.

So the motion was disagreed to.

Mr. Mesloh appeared within the bar of the House, and answered to the call.

Indefinite leave of absence was granted Mr. Thompson of Lucas on account of sickness.

On motion of Mr. Archer, all further proceedings under the call were dispensed with.

The question being on the passage of H. B. No. 330, Mr. McLain moved to recommit the bill to a select committee of one, with instructions to amend as follows:

In line 22, after the word "regulate," insert the words "restrain and prohibit."

Mr. Sherrick moved to amend the amendment by striking out the word "prohibit."

On which motion the yeas and nays were demanded, ordered, and resulted—yeas 3, nays 73, as follows:

Messrs. Case, Ford and Sherrick voted in the affirmative.

Those who voted in the negative were—

Messrs. Armstrong of Guernsey, Baker of Fairfield, Baker of Perry, Barnett, Barrett, Baskin, Bay, Beatty, Bell, Boyce, Brooke, Brunner, Carnahan, Chapman of Cuyahoga, Cole, Cooley, Conklin, Conkright, Duncan, Eshelman, Geghan, Gowey, Gordon, Green, Grosvenor, Haag, Hardy, Hatfield, Haven, Heitmann, Herron, Hoagland, Holt, Huston, Johnson, Loomis, Mack, Marx, Martin, McCoy, McKinley, Mesloh, Miller, Moorehead, Morris, Munson, Murlin, Myers of Ashland, Myers of Fayette, Neff, Nelson, Newell, Newton, Norton, Oren, Pattison, Pearson, Poe, Ramsay,

Richards, Sater, Scott, Sheppard, Stone, Tryon, Van Meter, Varley, Vincent, Walker, Watson, Weible, West and White—73.

So the amendment to the amendment was disagreed to.

The question then recurred on the motion of Mr. McLain to recommit, with instructions.

On which the yeas and nays were demanded, ordered, and resulted—yeas 51, nays 46, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Armstrong of Guernsey, Baker of Coshocton, Barnett, Barrett, Bay, Beatty, Boyce, Brooke, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Conkright, Duncan, Ford, Gowey, Grosvenor, Haven, Herron, Hill, Holloway, Howland, Johnson, Loomis, Mack, Mann, Martin, McLain, Moorehead, Morris, Munson, Myers of Fayette, Neff, Oren, Pattison, Ramsay, Ray, Richards, Robb, Sater, Scott, Sheppard, Stone, Tryon, Van Meter, Varley, Vincent, Watson, West and Williams—51.

Those who voted in the negative were—

Messrs. Baker of Fairfield, Baker of Perry, Baskin, Beach, Bell, Brunner, Case, Cole, Cooley, Conklin, Eidson, Eshelman, Geghan, Gordon, Green, Haag, Hardy, Hatfield, Heitmann, Hoagland, Holt, Huston, Inman, Kemp, Lewis, Light, Marx, McCloud, McCoy, McKinley, Mesloh, Miller, Murlin, Myers of Ashland, Nelson, Newell, Newton, Norton, Pearson, Poe, Richmond, Sherrick, Thompson of Montgomery, Walker, Weible and White—46.

So the motion was agreed to, and Mr. McLain appointed the committee.

Mr. Sater moved that the House do now adjourn.

On which motion the yeas and nays were demanded, ordered, and resulted—yeas 35, nays 56, as follows:

Those who voted in the affirmative were—

Messrs. Baker of Coshocton, Barnett, Barrett, Bay, Beatty, Bell, Carnahan, Chapman of Cuyahoga, Conkright, Duncan, Eidson, Faxon, Herron, Hill, Holloway, Holt, Johnson, Loomis, Mann, Marx, McCloud, Morris, Munson, Murlin, Neff, Oren, Ramsay, Ray, Richards, Richmond, Sater, Varley, Walker, Watson and Williams—35.

Those who voted in the negative were—

Messrs. Archer, Armstrong of Belmont, Armstrong of Guernsey, Baker of Fairfield, Baker of Perry, Baskin, Beach, Boyce, Brooke, Brunner, Case, Chapman of Meigs, Cole, Conklin, Eshelman, Geghan, Gowey, Gordon, Grosvenor, Haag, Hardy, Hatfield, Haven, Heitmann, Hoagland, Howland, Huston, Inman, Kemp, Mack, Marx, Martin, McCoy, McKinley, McLain, Mesloh, Miller, Myers of Ashland, Myers of Fayette, Nelson, Newell, Newton, Norton, Pattison, Poe, Robb, Scott, Sheppard, Sherrick, Stone, Thompson of Montgomery, Van Meter, Vincent, Weible, West and White—56.

So the House refused to adjourn.

Mr. McLain moved a suspension of the rules for the purpose of making a report from a select committee.

Mr. Gordon moved that the Sergeant-at-Arms be directed to clear the lobby.

On which motion the yeas and nays were demanded, ordered, and resulted—yeas 8, nays 80, as follows:

Those who voted in the affirmative were—

Messrs. Baker of Fairfield, Gordon, Haag, Hardy, Heitmann, Hill, Mesloh and Walker—8.

Those who voted in the negative were—

Messrs. Archer, Armstrong of Belmont, Armstrong of Guernsey, Baker of Coshocton, Baker of Perry, Barnett, Barrett, Baskin, Bay, Beach, Beatty, Bell, Boyce, Brooke, Brunner, Case, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Cole, Cooley, Conklin, Conkright, Duncan, Eshelman, Faxon, Geghan, Gowey, Green, Grosvenor, Haven, Herron, Hoagland, Holloway, Holt, Howland, Huston, Inman, Johnson, Kemp, Light, Loomis, Mack, Mann, Marx, Martin, McCloud, McCoy, McKinley, McLain, Moorehead, Morris, Munson, Myers of Ashland, Myers of Fayette, Neff, Nelson, Newell, Newton, Norton, Oren, Pattison, Pearson, Poe, Ramsay, Richards, Richmond, Sater, Scott, Sheppard, Sherrick, Stone, Thompson of Montgomery, Tryon, Van Meter, Vincent, Watson, Weible, West and Williams—80.

So the motion was disagreed to.

The question then being on the motion of Mr. McLain for permission to make a report from a select committee, the yeas and nays were demanded, ordered, and resulted—yeas 54, nays 41, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Baskin, Beach, Bell, Brunner, Case, Carnahan, Cole, Cooley, Conklin, Conkright, Eidson, Eshelman, Geghan, Gordon, Green, Grosvenor, Haag, Hardy, Hatfield, Heitmann, Hoagland, Holloway, Holt, Howland, Huston, Inman, Kemp, Lewis, Marx, McCoy, McKinley, McLain, Mesloh, Miller, Myers of Ashland, Nelson, Newell, Newton, Norton, Pearson, Poe, Robb, Sater, Sheppard, Sherrick, Thompson of Montgomery, Walker, Weible, West and Speaker—54.

Those who voted in the negative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Barnett, Barrett, Bay, Beatty, Boyce, Brooke, Chapman of Cuyahoga, Chapman of Meigs, Duncan, Faxon, Ford, Gowey, Haven, Herron, Hill, Johnson, Loomis, Mack, Mann, Martin, Moorehead, Morris, Munson, Myers of Fayette, Neff, Oren, Pattison, Ramsay, Ray, Richards, Richmond, Scott, Stone, Tryon, Van Meter, Varley, Vincent, Watson and Williams—41.

So the motion, not having received a two-thirds vote, was lost.

Mr. Mesloh moved that the House take a recess until 10 o'clock A.M. to-morrow.

Mr. Ford moved that the House do now adjourn.

On which motion the yeas and nays were demanded, ordered, and resulted—yeas 51, nays 35, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Guernsey, Baker of Coshocton, Barrett, Bay, Beatty, Boyce, Brooke, Brunner, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Conkright, Duncan, Faxon, Ford, Gowey, Gordon, Grosvenor, Haven, Herron, Holloway, Holt, Johnson, Loomis, Mack, Mann, Martin, McLain, Moorehead, Morris, Munson, Myers of Fayette, Neff, Newton, Oren, Pattison, Ramsay, Ray, Richards, Richmond, Robb, Sater, Scott, Sheppard, Tryon, Varley, Vincent, Watson, Weible, West and Williams—51.

Those who voted in the negative were—

Messrs. Archer, Baker of Fairfield, Baker of Perry, Baskin, Beach, Bell, Case, Cole, Conklin, Eshelman, Geghan, Green, Haag, Hardy, Hatfield, Heitmann, Hill, Hoagland, Huston, Inman, Kemp, Light, Marx,

McCloud, McCoy, McKinley, Mesloh, Miller, Murlin, Nelson, Newell, Poe, Sherrick, Thompson of Montgomery, and Walker—35.

So the motion was agreed to, and the House adjourned.

Attest: THOMAS COUGHLIN, *Clerk.*

WEDNESDAY, APRIL 15, 1874—10 o'clock A.M.

The House met pursuant to adjournment.

Prayer by Rev. Richard Ramsay, member from Adams county.

The Journal of yesterday was read.

Mr. Pearson moved to correct the Journal by recording his vote in the negative, instead of in the affirmative, on agreeing to the fifteenth Senate amendment to H. B. No. 175.

On motion of Mr. Beatty, corrections to the Journal were postponed until half-past two o'clock this afternoon.

The following bill was introduced on leave, and read the first time:

H. B. No. 354—By Mr. Scott: To amend section 9 of the act entitled an act supplementary to an act entitled an act to provide for the creation and regulation of incorporated companies in the State of Ohio, passed May 1, 1852, passed April 15, 1867, as amended February 25, 1869.

On motion of Mr. Scott, the constitutional rule was dispensed with, and said bill was read the second time, and referred to the committee on Agriculture.

Mr. Williams presented the remonstrance of a mass meeting of the citizens of Delaware, against the passage of any law by the Legislature of Ohio impairing the efficacy of the temperance laws, or the power of city or village corporations to enact ordinances against the sale of malt liquors or other intoxicating beverages.

Which was referred to the committee on Temperance.

The following bills were read the second time:

S. B. No. 110: To amend an act entitled an act to provide for the organization and government of municipal corporations, passed May 7, 1869.

Referred to the committee on Municipal Corporations.

S. B. No. 99: To authorize the incorporation of companies for the sale of goods and merchandise.

Referred to the committee on Corporations other than Municipal.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has concurred in the adoption of H. J. R. No. 27, relative to printing the report of the Commissioner of Common Schools.

Attest: S. K. DONAVIN, *Clerk.*

MESSAGE FROM THE SENATE.

Mr. Speaker:

The following bills have been introduced in the Senate, and read the first time:

S. B. No. 168—By Mr. Curtiss: To authorize the directors of the Rockport and Dover Plank-road Company of Cuyahoga county to erect a gate and take toll.

S. B. No. 169—By Mr. Thompson: Supplementary to an act entitled an act to amend an act entitled an act to regulate and govern the Ohio

Penitentiary, passed April 1, 1867 (S. & S., p. 512), passed March 30, 1874. (O. L., Vol. 70, p. 40.)

S. B. No. 170—By Mr. Bingham: Supplementary to an act to provide for and regulate street railroads, passed April 10, 1861.

Attest: S. K. DONAVIN, *Clerk.*

Leave of absence was granted Mr. Beach until to-morrow noon.

H. B. No. 329, to relieve sureties of executors and administrators, and to punish them for certain offenses therein named, was read the third time.

On motion of Mr. Beatty, the bill was recommitted to a select committee of one—Mr. Beatty—with instructions to amend as follows:

In line 1, section 2, strike out the word "tail."

Mr. Beatty, on leave, submitted the following report:

The select committee of one to whom was referred H. B. No. 329, with instructions to amend, reports the same back, amended as instructed.

WM. W. BEATTY.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 33, nays 44, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Guernsey, Bay, Beatty, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Cooley, Eidson, Eshelman, Geghan, Hardy, Haven, Huston, Inman, Johnson, Lewis, Loomis, Mack, Marx, McLain, Miller, Myers of Fayette, Oren, Ramsay, Robb, Sater, Scott, Van Meter, Varley, Walker, Watson, Weible and Williams—33.

Those who voted in the negative were—

Messrs. Armstrong of Belmont, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Barrett, Baskin, Bell, Cole, Conklin, Conkright, Duncan, Faxon, Ford, Green, Grosvenor, Harrison, Hatfield, Heitmann, Herron, Hill, Hoagland, Holloway, Kemp, McKinley, Mesloh, Moorehead, Morris, Murlin, Myers of Ashland, Neff, Nelson, Newell, Newton, Norton, Pearson, Richards, Sheppard, Sherrick, Thompson of Lucas, Thompson of Montgomery, Vincent, Walker and Speaker—44.

So the bill was lost.

Mr. Bell, on leave, offered for adoption the following joint resolution:

H. J. R. No. 44: *Resolved by the General Assembly of the State of Ohio,* That a joint select committee, consisting of three on the part of the Senate and four on the part of the House of Representatives, be appointed, whose duty it shall be to make diligent inquiry into the condition and state of repairs of the public works of the State; and also the expenditure of all appropriations made for the benefit of the public works since 1861 inclusive, and report to this body at the next session of the Legislature—

1st. The names of the original lessees of the public works of 1861, and the transfers of shares in said lease, with the names of the several shareholders during the continuance of such lease.

2d. The names of the original lessees of said public works in the second lease of 1871, and all subsequent transfers, and the names of the several share-holders up to the present time, and what portion of the public works were embraced in said several leases, and what portions were excepted from either lease, with the reason why.

3d. What influences, if any, were brought to bear upon the Legislature, or any portion thereof, for the leasing of said public works; or what means were adopted, if any, to prevent competition at any of the biddings for said public works.

4th. Whether any portion of appropriations made for the benefit of the

public works have been expended for repairs which the lessees were bound by the terms of their lease to make.

5th. In what particular, if any, the lessees have failed to comply with the terms of their lease in keeping the public works in repair.

6th. Whether the lessees have sub let any portion of the public works, and upon what terms; and whether such sub-lessees have made any, and what repairs, upon the portion so sub-let.

Said committee are hereby authorized to send for persons and papers, and to examine witnesses under oath touching any of the subjects embraced in this resolution; that said committee have leave to sit for such investigation during the recess of the General Assembly, and to visit any portion of said public works that they may deem necessary for the purpose of such investigation, and report the result of their investigation, together with such recommendations as they may deem necessary for the proper protection of the interests of the State.

Mr. Oren moved that the resolution be amended so as to read "three on the part of the Senate, and two on the part of the House."

Which was agreed to.

The question then being on the adoption of the resolution, the yeas and nays were ordered, and resulted—yeas 66, nays 18, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barrett, Baskin, Bay, Bell, Brooke, Case, Chapman of Cuyahoga, Chapman of Meigs, Cole, Cooley, Conklin, Duncan, Eidson, Eshelman, Faxon, Geghan, Gowey, Green, Grosvenor, Hardy, Harrison, Haven, Heitmann, Herron, Holloway, Holt, Howland, Huston, Johnson, Kemp, Lewis, Loomis, Mack, Martin, McCloud, McCoy, McKinley, McLain, Mesloh, Miller, Munson, Murlin, Myers of Fayette, Neff, Nelson, Newell, Newton, Norton, Pattison, Pearson, Poe, Ramsay, Richards, Richmond, Sater, Scott, Stone, Thompson of Lucas, Tryon, Varley and Williams—66.

Those who voted in the negative were—

Messrs. Barnett, Carnahan, Conkright, Ford, Hoagland, Light, Marx, Myers of Ashland, Oren, Robb, Sheppard, Thompson of Montgomery, Vincent, Walker, Watson, Weible, West and White—18.

So the resolution was adopted.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has adopted the following joint resolution, in which the concurrence of the House of Representatives is requested:

S. J. R. No. 46—By Mr. Seitz: Relative to adjournment.

Attest: S. K. DONAVIN, *Clerk.*

Mr. McCoy moved to refer said resolution to the committee on Finance.

On which motion the yeas and nays were demanded, ordered, and resulted—yeas 12, nays 70, as follows:

Those who voted in the affirmative were—

Messrs. Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Bell, Case, Cole, McCloud, McCoy, Murlin, Newell and Walker—12.

Those who voted in the negative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Barrett, Baskin, Bay, Beatty, Brooke, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Conklin, Conkright, Duncan, Eidson, Eshelman, Faxon, Ford, Geghan, Gowey, Green, Grosvenor, Harrison, Haven, Heitmann, Herron,

Hill, Hoagland, Holloway, Holt, Howland, Inman, Johnson, Lewis, Light, Loomis, Mack, Marx, Martin, McKinley, McLain, Mesloh, Miller, Moorehead, Morris, Munson, Myers of Ashland, Myers of Fayette, Neff, Nelson, Newton, Norton, Oren, Pattison, Poe, Ramsay, Richmond, Sater, Scott, Sheppard, Sherrick, Stone, Thompson of Lucas, Thompson of Montgomery, Tryon, Varley, Vincent, Weible, West, White and Williams—70.

So the motion to refer was disagreed to.

Mr. Case moved to amend the resolution by striking out "10 o'clock A.M.," and inserting "2½ o'clock P.M."

Which was disagreed to.

The question then being on the adoption of the resolution, the yeas and nays were ordered, and resulted—yeas 87, nays 1, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barrett, Baskin, Bay, Beatty, Bell, Boyce, Brooke, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Cole, Cooley, Conklin, Conkright, Duncan, Eidson, Eshelman, Faxon, Ford, Geghan, Gowey, Green, Grosvenor, Hardy, Harrison, Haven, Herron, Hill, Hoagland, Holloway, Holt, Howland, Huston, Inman, Johnson, Kemp, Lewis, Light, Loomis, Mack, Marx, Martin, McCloud, McKinley, McLain, Mesloh, Miller, Moorehead, Morris, Munson, Murlin, Myers of Ashland, Myers of Fayette, Neff, Nelson, Newell, Newton, Norton, Oren, Pattison, Pearson, Poe, Ramsay, Richards, Richmond, Robb, Sater, Scott, Sheppard, Sherrick, Stone, Thompson of Lucas, Thompson of Montgomery, Tryon, Van Meter, Varley, Vincent, Walker, Weible, West, White and Williams—87.

Mr. McCoy voted in the negative.

So the resolution was adopted.

On motion of Mr. Mack, the House took a recess.

HALF-PAST TWO O'CLOCK P.M.

The House met pursuant to recess.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has concurred in the passage of H. B. No. 284, to amend an act entitled an act defining the powers and duties of justices of the peace and constables in criminal cases, passed March 27, 1837, took effect July 4, 1837.

Attest: S. K. DONAVIN, *Clerk.*

S. B. No. 135, to authorize the trustees of Sharon township, Richland county, Ohio, to pay a balance on a certain promissory note out of the general funds of said county, was read the third time.

On motion of Mr. Barnett, the further consideration of the bill was postponed until to-morrow.

S. B. No. 45, to amend section 44 of an act entitled an act for the assessment and taxation of property in this State, and for levying taxes thereon, according to its true value in money, as amended May 8, 1868, was read the third time.

Mr. Grosvenor moved to refer the bill to a select committee of one, with instructions to amend as follows: Add at the end of section 1 the following: "and provided further, that when said board shall be satisfied that any property in the county has been returned and placed upon the duplicate at more than twice its actual value, such board may equalize the

value thereof as aforesaid, so as not to decrease the aggregate value of the realty of such county, not adding thereto the value of new structures and entries, and deducting therefrom the value of buildings destroyed during the preceding year."

Which was agreed to, and Mr. Grosvenor appointed said committee.

Mr. Eshelman submitted the following report:

The committee on Finance, to whom was referred S. B. No. 74, prescribing the rate of State taxes, and to repeal an act therein named, having had the same under consideration, report it back, with the following amendments, and recommend its passage:

Strike out all after the word "fund," in line nine, to the word "for," in line sixteen. Strike out all after the word "provided," in line twenty-two, to the end of line thirty-two.

E. B. Eshelman,	R. Hill,
E. M. Green,	Thos. E. Duncan,
Geo. W. Boyce,	W. P. Howland,
J. M. Poe,	Geo. H. Ford.

The amendments were agreed to.

Said amendments were then ordered to be engrossed, and the bill read the third time to-morrow.

Mr. Sherrick submitted the following report:

The committee on Revision have examined, and found correctly engrossed, House Bills Nos. 344 and 321.

Johnson Sherrick,	C. H. Grosvenor,
William M. McKinley,	Geo. W. Boyce.

The question then being on the motion of Mr. Pearson to have his vote corrected on the Journal given on agreeing to the fifteenth Senate amendment to H. B No. 175,

Mr. Case arose to a point of order, claiming that it is the right of a member to have his vote corrected when erroneously recorded, without submitting it to the House.

Which point of order was sustained by the Speaker.

Mr. Pearson then stated that he had voted in the negative, but was erroneously recorded in the affirmative.

The Journal was then ordered to be corrected, and the vote of Mr. Pearson recorded in the negative.

Mr. Sater then stated that he had voted in the affirmative on said fifteenth amendment, but by mistake his vote had been omitted on the record, and asked to be so recorded.

The Journal was ordered to be corrected accordingly.

Mr. McLain, on leave, submitted the following report:

The committee on Federal Relations, to whom was referred S. J. R. No. 38, having had the same under consideration, report it back, with the following amendments, and recommend that it be adopted.

Jas. S. Gordon,	H. G. Tryon,
Thos. J. McLain, Jr.,	Allen J. Beach.

The question being on the adoption of the resolution, the yeas and nays were ordered, and resulted—yeas 61, nays 13, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barrett, Baskin, Bay, Beatty, Boyce, Brooke, Case, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Cole, Cooley, Conklin, Faxon, Ford, Geghan, Gowey, Grosvenor,

Harrison, Haven, Herron, Hill, Hoagland, Holloway, Howland, Huston, Johnson, Loomis, Mack, Mann, Marx, McCoy, McLain, Moorehead, Morris, Munson, Newell, Newton, Oren, Poe, Ramsay, Richards, Sater, Sherrick, Stone, Thompson of Lucas, Thompson of Montgomery, Tryon, Van Meter, Varley, Vincent, Walker, Watson, Weible, West and Williams—61.

Those who voted in the negative were—

Messrs. Barnett, Brunner, Green, Haag, Hardy, Heitmann, Inman, McCloud, McKinley, Mesloh, Myers of Ashland, Myers of Fayette, and Norton—13.

So the resolution was adopted.

On motion of Mr. Holt, the third reading of H. B. No. 111, to provide for the organization, supervision and maintenance of separate schools for colored youth, was postponed until the second Wednesday of January, 1875.

H. B. No. 70, to amend section 2 of an act to restrain from running at large certain animals therein named, passed April 13, and took effect May 1, 1865, was read the third time.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 11, nays 54, as follows:

Those who voted in the affirmative were—

Messrs. Chapman of Cuyahoga, Faxon, Grosvenor, Herron, Holloway, Johnson, Loomis, Mack, Munson, Richards and Varley—11.

Those who voted in the negative were—

Messrs. Baker of Fairfield, Baker of Perry, Barnett, Barrett, Baskin, Beatty, Bell, Blake, Brooke, Brunner, Case, Chapman of Meigs, Cole, Cooley, Conklin, Eidson, Eshelman, Green, Hardy, Harrison, Hatfield, Haven, Heitmann, Hill, Hoagland, Hodge, Howland, Inman, Kemp, Lewis, Light, Martin, McCloud, McKinley, Mesloh, Moorehead, Myers of Ashland, Myers of Fayette, Newell, Newton, Norton, Pearson, Poe, Richmond, Robb, Sheppard, Sherrick, Stone, Thompson of Lucas, Thompson of Montgomery, Van Meter, Vincent, Walker and Weible—54.

So the bill failed to pass.

Mr. Chapman of Cuyahoga submitted the following report:

The joint committee on Enrollment have examined, and found correctly enrolled, the following bill:

H. B. No. 207: To change the time for holding the second term of the court of common pleas for the year 1874 for the county of Ashland.

H. M. Chapman,	O. B. Chapman,
B. Neff,	S. Knox,
H. Hardy,	J. C. Fisher.

The Speaker, in the presence of the House, signed said bill.

Mr. Hardy submitted the following report:

The joint committee on Enrollment have examined, and found correctly enrolled, the following bill:

H. B. No. 274: To authorize the citizens of the village of Leipsic, Putnam county, to hold a special election.

Henry Hardy,	H. M. Chapman,
B. Neff,	S. Knox,
J. M. Pattison,	J. C. Fisher,
O. B. Chapman,	M. C. Lawrence.

The Speaker, in the presence of the House, signed said bill.

Mr. Neff submitted the following report:

The joint committee on Enrollment have examined, and found correctly enrolled, the following bill:

H. B. No. 217: To amend section 141 of an act entitled an act to provide for the organization and government of municipal corporations, passed May 7, 1869.

B. NEFF, J. M. PATTISON,
HENRY HARDY, S. KNOX,
H. M. CHAPMAN, J. C. FISHER.
O. B. CHAPMAN,

The Speaker, in the presence of the House, signed said bill.

S. B. No. 140, to authorize the issuing of floating debt bonds in cities of the first class having a population of less than fifty thousand, was read the third time.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 64, nays 3, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Baker of Coshocton, Baker of Perry, Barrett, Beatty, Bell, Blake, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Cole, Cooley, Eidson, Eshelman, Faxon, Gordon, Green, Grosvenor, Hardy, Hatfield, Haven, Heitmann, Herron, Hill, Hodge, Holloway, Holt, Huston, Inman, Johnson, Kemp, Loomis, Mack, Marx, Martin, McCloud, McCoy, McLain, Miller, Moorehead, Munson, Myers of Ashland, Myers of Fayette, Neff, Newton, Pattison, Pearson, Ramsay, Richards, Richmond, Robb, Sherrick, Stone, Thompson of Lucas, Thompson of Montgomery, Tryon, Van Meter, Vincent, Walker, Weible, West and Williams—64.

Messrs. Baskin, Brooke and McKinley voted in the negative.

So the bill passed. The title was agreed to.

Mr. Pattison submitted the following report:

The joint committee on Enrollment have examined, and found correctly enrolled, the following joint resolution:

H. J. R. No. 17: Relative to sums of money charged against the State for arms, etc., during the late war.

J. M. PATTISON, B. NEFF,
HENRY HARDY, S. KNOX,
O. B. CHAPMAN, J. C. FISHER,
H. M. CHAPMAN, M. C. LAWRENCE.

The Speaker, in the presence of the House, signed said joint resolution.

Mr. Pattison submitted the following report:

The joint committee on Enrollment have examined, and found correctly enrolled, the following bills:

H. B. No. 251: Supplementary to the several acts relating to the collection of delinquent taxes.

H. B. No. 222: To amend an act entitled an act limiting the compensation of certain officers therein named, passed April 6, 1870, and repealing section 1 of said act, and to amend section 5 of said act, as amended by an act entitled an act to amend an act limiting the compensation of certain officers therein named, passed February 14, 1873, and repealing said section 5.

H. B. No. 51: To authorize the board of education of Perry township, Lawrence county, to levy a tax to pay the indebtedness of said township incurred in the erection of school-houses.

H. B. No. 241: To create a joint sub-district for school purposes in the townships of Starr and Green, in Hocking county, Ohio.

H. B. No. 237: Supplementary to an act entitled an act to authorize county treasurers to pay out money to township treasurers, city treasurers, treasurers of incorporated villages and treasurers of boards of education in advance, passed April 29, 1873.

H. B. No. 323: To change the time fixed for holding the second term of the court of common pleas for the year 1874 in the county of Shelby.

H. B. No. 236: To exempt from execution or seizure any fund set apart by benevolent associations or societies for the families of deceased members.

H. B. No. 270: To authorize the board of education of the incorporated village of Medina to take up outstanding bonds and issue new bonds, with extended time.

H. B. No. 188: To amend sections 2 and 14 of an act regulating the mode of administering assignments in trust for the benefit of creditors, passed and took effect April 6, 1859.

H. B. No 191: To authorize the commissioners of Pickaway county, Ohio, to build a bridge across Deer creek, at or near Hayne's mill, in said county.

J. M. Pattison, S. Knox,
O. B. Chapman, J. C. Fisher,
Henry Hardy, H. M. Chapman.

The Speaker, in the presence of the House, signed said bills.

Mr. Scott, on leave, submitted the following report:

The committee on Judiciary, to whom was referred H. B. No. 342, to provide for the reclamation and sale of certain land granted to the State of Ohio by the United States, etc., having had the same under consideration, report it back, and recommend its passage.

J. Scott, W. P. Howland,
J. M. Haag, C. C. Archer.
T. M. Robb,

Said bill was read the third time.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 68, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Baker of Coshocton, Baker of Perry, Barrett, Baskin, Bay, Beatty, Bell, Blake, Boyce, Brooke, Brunner, Carnahan, Chapman of Cuyahoga, Cole, Eidson, Eshelman, Geghan, Green, Grosvenor, Hardy, Harrison, Hatfield, Haven, Heitmann, Herron, Hill, Hoagland, Holt, Inman, Johnson, Lewis, Loomis, Mack, Mann, Martin, McKinley, McLain, Miller, Moorehead, Morris, Munson, Myers of Ashland, Myers of Fayette, Neff, Newton, Norton, Pattison, Pearson, Ramsay, Richards, Richmond, Robb, Sater, Scott, Sheppard, Sherrick, Stone, Thompson of Lucas, Thompson of Montgomery, Tryon, Van Meter, Varley, Vincent, Walker, Weible and Williams—68.

So the bill passed. The title was agreed to.

Mr. Grosvenor submitted the following report:

The select committee of one to whom was referred S. B. No. 45, to amend section 44 of an act entitled an act for the assessment and taxation of property in this State, and for levying taxes thereon according to its true value in money, as passed May 8, 1868, having had the same under consideration, reports it back, amended as instructed.

C. H. Grosvenor.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 54 nays 20, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Baker of Coshocton, Baker of Perry, Barrett, Bay, Beatty, Bell, Blake, Brooke, Case, Chapman of Cuyahoga, Chapman of Meigs, Cooley, Eidson, Eshelman, Gordon, Green, Grosvenor, Harrison, Haven, Herron, Hodge, Holloway, Holt, Huston, Lewis, Loomis, Mack, Mann, McCloud, McKinley, McLain, Mesloh, Miller, Munson, Murlin, Myers of Fayette, Newton, Pattison, Pearson, Ramsay, Richards, Robb, Sater, Sheppard, Thompson of Lucas, Thompson of Montgomery, Tryon, Van Meter, Varley, Vincent, Walker, West and Williams—54.

Those who voted in the negative were—

Messrs. Baker of Coshocton, Barnett, Baskin, Brunner, Cole, Conkright, Heitmann, Hill, Hoagland, Howland, Inman, Light, Marx, Martin, Moorehead, Neff, Oren, Richmond, Scott and Weible—20.

So the bill passed. The title was agreed to.

H. B. No. 344, to authorize the board of education of the school district composed of the town of Cambridge, in Guernsey county, Ohio, to issue bonds to pay an existing indebtedness, and levy a tax for the payment of the same, was read the third time.

Mr. Armstrong of Guernsey moved to commit the bill to a select committee of one, with instructions to amend as follows:

Insert in line 22, after the word "interest," "paid semi-annually."

Which was agreed to.

Mr. Armstrong of Guernsey was appointed said committee, who, on leave, reported the bill back, amended as instructed.

The bill having been engrossed at the Clerk's desk, and the question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 79, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Barrett, Baskin, Bay, Bell, Blake, Boyce, Brooke, Brunner, Case, Chapman of Cuyahoga, Chapman of Meigs, Cole, Cooley, Conklin, Eidson, Eshelman, Faxon, Ford, Geghan, Gowey, Gordon, Green, Grosvenor, Hardy, Harrison, Haven, Heitmann, Herron, Hill, Hodge, Holloway, Holt, Howland, Inman, Johnson, Light, Loomis, Mack, Mann, Marx, Martin, McKinley, McLain, Mesloh, Miller, Moorehead, Munson, Murlin, Myers of Fayette, Neff, Nelson, Newton, Oren, Pattison, Poe, Ramsay, Richards, Richmond, Sater, Scott, Sheppard, Sherrick, Stone, Thompson of Lucas, Thompson of Montgomery, Van Meter, Varley, Vincent, Walker, Watson, Weible, West and Williams—79.

So the bill passed. The title was agreed to.

Mr. Miller moved to take up H. B. No. 244, to authorize the issuing of bonds and to regulate the making of contracts in certain cities.

Which was agreed to.

The question then being on agreeing to the Senate amendments to the bill, the yeas and nays were ordered, and resulted—yeas 84, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Barrett, Baskin, Bay, Bell, Blake, Boyce, Brooke, Brunner, Case, Chapman of Cuyahoga, Chap-

man of Meigs, Cole, Cooley, Conklin, Eidson, Eshelman, Faxon, Ford, Geghan, Gowey, Gordon, Green, Grosvenor, Hardy, Haven, Heitmann, Herron, Hill, Hodge, Holloway, Holt, Howland, Huston, Inman, Johnson, Kemp, Lewis, Light, Mack, Mann, Marx, Martin, McCloud, McCoy, McKinley, McLain, Mesloh, Miller, Moorehead, Morris, Munson, Murlin, Myers of Fayette, Neff, Nelson, Newton, Oren, Pattison, Pearson, Poe, Ramsay, Richmond, Robb, Sater, Scott, Sheppard, Sherrick, Stone, Thompson of Lucas, Thompson of Montgomery, Tryon, Van Meter, Varley, Vincent, Walker, Watson, Weible and Williams—84.

So the amendments were agreed to.

On motion of Mr. Marx, S. B. No. 146, to authorize the trustees of Manhattan township, Lucas county, Ohio, to borrow money, was read the third time.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 69, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Guernsey, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Baskin, Bay, Blake, Boyce, Brooke, Brunner, Case, Carnahan, Chapman of Meigs, Cole, Cooley, Eidson, Eshelman, Faxon, Geghan, Gowey, Gordon, Green, Grosvenor, Hardy, Harrison, Haven, Herron, Hill, Holt, Howland, Huston, Inman, Kemp, Lewis, Light, Loomis, Mack, Mann, Marx, McCloud, McCoy, McKinley, McLain, Mesloh, Miller, Morris, Murlin, Myers of Ashland, Myers of Fayette, Nelson, Newton, Pattison, Pearson, Poe, Ramsay, Richards, Robb, Sater, Sherrick, Stone, Thompson of Lucas, Thompson of Montgomery, Tryon, Van Meter, Varley, Vincent, Watson, Weible and West—69.

So the bill passed. The title was agreed to.

Mr. Grosvenor moved to suspend the rule, and that H. B. No. 57 be taken from the table and referred to a select committee of one.

Which was agreed to.

Mr. Grosvenor was appointed said committee.

On motion of Mr. Brunner, the House adjourned.

Attest: THOMAS COUGHLIN, *Clerk.*

THURSDAY, APRIL 16, 1874—10 o'clock A.M.

The House met pursuant to adjournment.

Prayer by Rev. John Baker, member from Coshocton county.

The Journal was read and approved.

Messrs. Mann, Blake and Hatfield asked and obtained leave to record their votes on the joint resolution for adjournment.

Messrs. Mann, Blake and Hatfield's names being called, they voted in the affirmative.

Mr. Sherrick submitted the following report:

The committee on Geology, Mines and Mining, to whom was referred S. J. R. No. 45, providing for the printing and distribution of the second volume of the final report of the Geological Corps of Ohio, having had the same under consideration, report it back, and recommend that it be adopted.

JOHNSON SHERRICK, T. J. MCLAIN, JR.,
E. R. P. BAKER, E. C. LEWIS,
J. N. OREN, JOHN P. HOLT.
WM. VAN METER,

Mr. Oren moved to amend said resolution as follows: Strike out the last two lines of the resolution, and add the following: "To determine what number of such reports are to be printed in German, it shall be the duty of the Secretary of State to ascertain from each member of this General Assembly, also from the Geological Corps, Geological Board and State Librarian, what number of the reports they are entitled to receive they wish in the German language. The aggregate amount so determined shall be the number authorized to be printed in German, and they shall be distributed accordingly."

Which was agreed to.

Mr. Lewis then offered the following amendment: "That there shall be deposited in the township library, in each county of the State of Ohio, one copy of this report by the member representing the same in this General Assembly at the time of their distribution; where there is no township library, the same to be placed in the hands of the board of township trustees, and the same to be and remain the property of the township."

Mr. Baker of Coshocton moved to amend the amendment by striking out "trustees," and inserting "clerk."

Which was agreed to.

Mr. Gowey moved to amend the amendment by striking out of the amendment all after the word "distribution."

Which was agreed to.

Mr. Sherrick then moved to strike out the word "the," in the sixteenth line, and insert the word "this."

Which was agreed to.

The question being on the adoption of said resolution, the yeas and nays were ordered, and resulted—yeas 70, nays 3, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Baker of Fairfield, Baker of Perry, Barnett, Barrett, Baskin, Bay, Beach, Bell, Boyce, Case, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Cole, Cooley, Eidson, Faxon, Geghan, Gowey, Gordon, Green, Grosvenor, Hardy, Harrison, Heitmann, Herron, Hill, Holloway, Holt, Howland, Huston, Inman, Johnson, Kemp, Lewis, Loomis, Mack, Mann, Marx, Martin, McKinley, Morris, Munson, Murlin, Myers of Ashland, Myers of Fayette, Neff, Newell, Newton, Norton, Pattison, Pearson, Ramsay, Richards, Richmond, Sater, Sheppard, Sherrick, Stone, Thompson of Lucas, Thompson of Montgomery, Tryon, Van Meter, Varley, Vincent, Watson, West and Williams—70.

Messrs. Brunner, Eshelman and Hoagland voted in the negative.

So the resolution was adopted.

Mr. Murlin moved a suspension of the rule, and that he be allowed to make a report from a select committee.

On which the yeas and nays were demanded, ordered, and resulted—yeas 45, nays 35, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Baker of Coshocton, Beach, Bell, Chapman of Cuyahoga, Cole, Cooley, Eshelman, Faxon, Ford, Geghan, Gowey, Gordon, Green, Grosvenor, Haag, Hardy, Hatfield, Holt, Huston, Johnson, Kemp, Lewis, Loomis, Mann, Marx, McCloud, McLain, Morris, Munson, Murlin, Myers of Ashland, Myers of Fayette, Nelson, Newton, Pearson, Ramsay, Richmond, Robb, Sater, Scott, Thompson of Lucas, Van Meter and Walker—45.

Those who voted in the negative were—

Messrs. Baker of Fairfield, Barnett, Barrett, Bay, Beatty, Blake, Brun-

ner, Case, Carnahan, Chapman of Meigs, Conklin, Eidson, Harrison, Haven, Heitmann, Herron, Hill, Hoagland, Holloway, Howland, Inman, Mack, Martin, McCoy, Moorehead, Neff, Sheppard, Sherrick, Stone, Thompson of Montgomery, Tryon, Varley, Vincent, Watson and Williams—35.

So the motion was not agreed to.

Mr. Richards presented the remonstrance of James Reed and 93 other citizens of Jefferson county, against the creation of a special school district, composed of sub-districts Nos. 5 and 6, in Wayne township, Jefferson county.

Which was referred to the committee on Public Schools.

Mr. McLain presented the remonstrance of H. A. Thompson and 652 other citizens of Franklin county, remonstrating against the passage of H. B. No. 330, or any other interference with the temperance laws of the State.

Which was referred to the committee on Temperance.

Mr. Eidson presented the petition of P. Folkerth and 25 other citizens of Camden, Preble county, praying that this Legislature pass H. B. No. 330, in relation to repealing so much of the municipal code as authorizes councils of villages to pass prohibitory ordinances in relation to the sale of beer, ale and porter.

Which was referred to the committee on Temperance.

Mr. Eidson presented the petition of Robert Miller and 19 other citizens of Eaton, Preble county, praying that this Legislature will not repeal or modify any of the existing laws regulating, restraining and prohibiting the sale of ale, beer and porter.

Which was referred to the committee on Temperance.

Mr. Eidson presented the petition of C. P. Thane and 235 other citizens of Eaton, Preble county, praying that the Legislature pass H. B. No. 330, in relation to repealing so much of the municipal code as authorizes councils of villages to pass prohibitory ordinances in relation to the sale of ale, beer and porter.

Which was referred to the committee on Temperance.

Mr. Beatty presented the petition of W. C. Cavenaugh and 99 other citizens of Logan county, praying for a law to prohibit the sale of spirituous liquors by peddlers.

Which was laid on the table.

The Grosvenor submitted the following report:

The select committee of one to whom was referred substitute for H. B. No. 57, for the further protection of certain birds and game, and to repeal a certain act therein named, having had the same under consideration, reports it back, with the recommendation that it be amended as follows:

Strike out in the substitute in line three, section 1, the following words: "on the premises of another, or on the public highways, streets, alleys or public commons."

In line two, section 7, strike out the word "January," and insert the word "December."

At the end section 11 add, "and an act to amend section one of an act entitled an act to amend an act to prevent the killing of wild deer, passed and took effect February 19, 1866. (S. & S., p. 12.)"

C. H. Grosvenor.

On motion of Mr. Grosvenor, further consideration of the bill was informally passed.

On motion of Mr. Geghan, H. B. No. 350, amendatory and supplemental

of an act entitled an act to organize and regulate an independent militia, passed April 18, A.D. 1870, was read the second time, and referred to the committee on Military Affairs.

Mr. Pattison submitted the following report:

The joint committee on Enrollment have examined, and found correctly enrolled, the following bill:

H. B. No. 244: To authorize the issuing of bonds and to regulate the making of contracts in certain cities.

J. M. PATTISON, B. NEFF,
O. B. CHAPMAN, J. C. FISHER,
HENRY HARDY, M. C. LAWRENCE,
H. M. CHAPMAN, S. KNOX.

The Speaker, in the presence of the House, signed said bill.

Mr. Pattison submitted the following report:

The joint committee on Enrollment have examined, and found correctly enrolled, the following bills and joint resolution:

S. B. No. 71: To amend the act entitled an act to establish and maintain an agricultural and mechanical college in Ohio, passed March 22, 1870.

S. B. No. 108: To amend section 161 of an act to provide for the settlement of estates of deceased persons, passed March 23, 1840.

S. B. No. 128: To authorize the trustees of Cadiz township, Harrison county, to transfer certain money from the railroad fund to the township fund, and to pay certain local bounties.

S. J. R. No. 46: Fixing a time for adjournment.

J. C. FISHER. L. A. BRUNNER,
M. C. LAWRENCE, HENRY HARDY,
S. KNOX, H. M. CHAPMAN,
J. M. PATTISON, B. NEFF.
O. B. CHAPMAN,

The Speaker, in the presence of the House, signed said bills and joint resolution.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has concurred in the passage of H. B. No. 59, to amend section 1 of an act entitled an act providing for inclosing railroads by fences and cattle-guards, as amended April 26, 1871, with the following amendments, in which the concurrence of the House of Representatives is requested:

Immediately following the enacting clause add the following words: "That section 1 of the above recited act be amended so as to read as follows: Section 1. After the word 'owner,' and before the word 'to,' in the ninety-first line of section 1, insert the following words: 'after having given reasonable notice to the agent of the company for receiving and shipping freight at the station on said railroad nearest to the land where it is proposed to construct such private crossing of the time when such land-owner shall proceed to construct such crossing.' Strike out in the ninety-fifth line of said section the word 'twenty-five,' and insert in place thereof the word "fifty.'"

Attest: S. K. DONAVIN, *Clerk.*

The question being on agreeing to the Senate amendment to the bill, the yeas and nays were ordered, and resulted—yeas 67, nays 6, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Barrett, Baskin, Bay, Beatty, Blake, Case, Carnahan, Chapman of Cuyahoga, Cole, Conklin, Eshelman, Faxon, Ford, Gowey, Hardy, Harrison, Hatfield, Haven, Heitmann, Hill, Hoagland, Hodge, Holt, Howland, Inman, Johnson, Kemp, Lewis, Light, Loomis, Mack, Marx, Martin, McCloud, McCoy, McKinley, Mesloh, Moorehead, Morris, Munson, Myers of Ashland, Myers of Fayette, Neff, Nelson, Newell, Newton, Pattison, Ramsay, Richards, Richmond, Robb, Sheppard, Sherrick, Thompson of Lucas, Thompson of Montgomery, Tryon, Van Meter, Vincent, Watson, Weible and West—67.

Those who voted in the negative were—

Messrs. Beach, Chapman of Meigs, Eidson, Herron, Stone and Varley—6.

So the amendments were agreed to.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has concurred in the passage of the following bills:

H. B. No. 331, supplementary to an act entitled an act to regulate the platting of lands and laying out of streets in municipal corporations, passed March 13, 1871.

H. B. No. 103, to amend section 338 of an act entitled an act to provide for the organization and government of municipal corporations, passed May 7, 1869.

H. B. No. 309, to amend an act entitled an act supplementary to an act entitled an act to provide for the organization and government of municipal corporations, passed May 7, 1869, passed April 28, 1873.

H. B. No. 289, to amend an act authorizing township trustees to levy a tax to purchase a site and erect a township house thereon, passed May 6, 1869.

Attest: S. K. DONAVIN, *Clerk.*

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has passed the following bill, in which the concurrence of the House of Representatives is requested:

S. B. No. 84—By Mr. Kerr: To repeal an act entitled an act to incorporate the Union Bridge Company, passed February 11, 1832. (O. L., Vol. 30, p. 291.)

Attest: S. K. DONAVIN, *Clerk.*

Said bill was read the first time.

On motion of Mr. West, the constitutional rule was dispensed with, and the bill read the second time by its title, and, on his motion, ordered to be read the third time to-morrow.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has concurred in the passage of the following bills:

H. B. No. 117: To amend section 54 of an act passed April 17, 1867, entitled an act to amend sections 49, 53 and 54 of an act entitled an act to provide for the creation and regulation of incorporated companies in the State of Ohio, passed May 10, 1852, and to repeal the section so hereby amended.

H. B. No. 162: To enable the common council of any city or incorporated village in this State having a population of twenty-five hundred inhabitants or more, through which any of the canals of this State may run, or for the board of county commissioners of the county in which such city or incorporated village may be situate, to construct and maintain for public use a swing-bridge or self-closing bridge on any highway where the same crosses such canal within the territory of said city or incorporated village.

H. B. No. 298: To authorize county commissioners to repair improved roads in certain cases.

Attest: S. K. DONAVIN, *Clerk.*

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has passed the following bill, in which the concurrence of the House of Representatives is requested:

S. B. No. 167—By Mr. Reid: To authorize the Governor to make removals from office.

Attest: S. K. DONAVIN, *Clerk.*

Said bill was read the first time.

On motion of Mr. Eshelman, the constitutional rule was dispensed with, and the bill read the second time by its title, and referred to the committee on Judiciary.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has concurred in the passage of H. B. No. 285, to provide for the management and better regulation of hospitals for the insane, with the following amendments, in which the concurrence of the House of Representatives is requested:

In section 3, lines 4 and 5, strike out the words "immediately after the passage of this act," and insert the words "on or before the first day of July, 1874."

Section 3, line 13, strike out the words "or in the office of steward."

In section 3 strike out lines 12 to 17 inclusive, and insert the following: "The Governor shall have power to make said appointments when the Senate is not in session, as well as appointments to fill any vacancies that may occur in any of said boards of trustees, for the unexpired term thereof; and in case the Senate is not in session at the time, the trustee so appointed shall proceed to act upon the certificate of the Governor, and such nomination shall be submitted to the Senate for its approval at the next session."

In section 4 strike out lines 1 and 2 to the word "appoint," and insert the following: "Section 4. The boards of trustees shall, at the first regular meeting after their appointment."

In section 4, line 3, after the word "steward," insert "subject to the approval of the Governor."

In section 4, line 7, strike out the word "Governor," and insert the words "board of trustees."

In section 6, lines 1 and 2, strike out the words "on the first Tuesday in April, 1874," and insert the words "at the first regular meeting after their appointment."

In section 13, line 3, between the words "of" and "building," insert the word "land."

In section 13, line 7, after the word "superintendent," insert the words "or steward."

Add at the end of section 19 the following words: "and the construction and management of said building or institution shall be proceeded with agreeably to the provisions of the act to organize a board of commissioners for the construction of the Central Lunatic Asylum, passed March 31, 1874."

In section 23, line 17, after the word "any," insert the word "land."

At the end of section 11 add the following: "Provided, that all provisions and supplies thus furnished shall be of good and wholesome quality, or the same may be rejected by the superintendent."

Attest: S. K. DONAVIN, *Clerk.*

The question being on agreeing to the Senate amendments to the bill, the yeas and nays were ordered, and resulted—yeas 46, nays 38, as follows:

Those who voted in the affirmative were—

Messrs. Baker of Coshocton, Baker of Fairfield, Barnett, Baskin, Beach, Bell, Boyce, Brunner, Case, Cole, Conklin, Eshelman, Geghan, Gordon, Haag, Hardy, Hatfield, Heitmann, Hill, Hoagland, Huston, Kemp, Lewis, McCloud, McCoy, McKinley, Mesloh, Moorehead, Myers of Ashland, Nelson, Newell, Norton, Pattison, Pearson, Poe, Robb, Sater, Sheppard, Sherrick, Thompson of Lucas, Thompson of Montgomery, Van Meter, Watson, Weible, West and Speaker—46.

Those who voted in the negative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Baker of Perry, Barrett, Bay, Beatty, Blake, Carnahan, Chapman of Meigs, Cooley, Faxon, Ford, Gowey, Harrison, Haven, Herron, Hodge, Holloway, Howland, Johnson, Loomis, Mack, Mann, Marx, Martin, Morris, Myers of Fayette, Neff, Newton, Oren, Ramsay, Richards, Richmond, Scott, Stone, Tryon, Varley and Vincent—38.

So the amendments were disagreed to.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has concurred in the passage of H. B. No. 286, to authorize the trustees of Orange township, Carroll county, Ohio, to join with the council of the incorporated village of Leesville, in said township, in the construction of a town hall for the joint use of said township and village, and to authorize private persons to join with them in the construction of such hall, with the following amendments, in which the concurrence of the House of Representatives is requested:

Strike out in lines 3 and 5 of section 1 the word "Leesville," and insert in lieu thereof the word "Leesburg."

Strike out in line 12 of section 3 the words "sealed and acknowledged," and insert in lieu thereof the words "in triplicate."

Strike out all of section 3 after the word "persons," in line 13, and insert the following words: "one copy of which shall be delivered to the trustees of said township, the council of said village, and to the person or persons aforesaid; and such written agreement shall be evidence of the respective interest and rights of said several parties in and to such hall."

Attest: S. K. DONAVIN, *Clerk.*

The question being on agreeing to the Senate amendments to said bill,

the yeas and nays were ordered, and resulted—yeas 51, nays 22, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barrett, Bay, Beatty, Blake, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Cooley, Eidson, Faxon, Ford, Gowey, Grosvenor, Haag, Harrison, Haven, Herron, Hoagland, Hodge, Holloway, Howland, Johnson, Lewis, Loomis, Mack, Mann, Marx, Martin, Morris, Munson, Myers of Ashland, Myers of Fayette, Neff, Oren, Poe, Ramsay, Richards, Richmond, Scott, Sherrick, Stone, Thompson of Lucas, Tryon, Varley, Vincent and Watson—51.

Those who voted in the negative were—

Messrs. Beach, Bell, Boyce, Conklin, Eshelman, Green, Hardy, Hatfield, Heitmann, Huston, Inman, Kemp, McCloud, McCoy, McKinley, Nelson, Norton, Pearson, Robb, Sater, Thompson of Montgomery and Van Meter—22.

So the amendments were not agreed to.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has concurred in the passage of the following bills:

H. B. No. 216: Relative to the infirmary of Ashland county.

H. B. No. 297: To authorize the commissioners of Hocking county to receive donations and make appropriations for a purpose therein named.

Attest: S. K. DONAVIN, *Clerk.*

S. B. No. 135, to authorize the trustees of Sharon township, Richland county, Ohio, to pay a balance on a certain promissory note out of the general funds of said county, was read the third time.

On motion of Mr. Barnett, further consideration of the bill was postponed until to-morrow.

H. B. No. 327, to prevent county recorders from acting as conveyancers, etc., was read the third time.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 56, nays 17, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Armstrong of Guernsey, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Blake, Boyce, Case, Carnahan, Chapman of Cuyahoga, Cooley, Faxon, Ford, Geghan, Gowey, Grosvenor, Haag, Harrison, Haven, Herron, Hill, Hoagland, Hodge, Holloway, Holt, Howland, Johnson, Kemp, Lewis, Loomis, Mann, Marx, Martin, McKinley, Mooris, Munson, Myers of Ashland, Myers of Fayette, Neff, Newell, Newton, Oren, Pattison, Ramsay, Richards, Richmond, Robb, Scott, Stone, Thompson of Lucas, Tryon, Van Meter, Varley, Vincent and Williams—56.

Those who voted in the negative were—

Messrs. Barnett, Baskin, Beach, Bell, Brunner, Cole, Eidson, Eshelman, Gordon, Green, Hardy, Huston, Mesloh, Pearson, Sheppard, Thompson of Montgomery, and Walker—17.

So the bill passed. The title was agreed to.

Mr. Thompson of Lucas moved a reconsideration of the vote by which S. B. No. 45 was passed.

Mr. Grosvenor demanded a call of the House. Ninety-four members answered to their names.

The absentees were Messrs. Boyce, Brooke, Coler, Conkright, Duncan, Light, McLain, Murlin, Parker, Ray and White.

The Sergeant-at-arms was dispatched for absentees.

On motion of Mr. Grosvenor, all further proceeding under the call were dispensed with.

Mr. Eshelman moved that the House take a recess.

Which was disagreed to.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has receded for its seventh amendment to section 1 of H. B. No. 175, making appropriations for the fiscal year 1874, and the first quarter of the year 1875.

The Senate insists upon its twelfth, sixteenth, seventeenth, nineteenth and twentieth amendments to section 1.

The Senate also insists on its first, ninth, sixteenth, seventeenth and eighteenth amendments to section 2 of said bill.

The Senate concurs in House amendments to the twenty-first amendment to section 1, and also to House amendments to thirteenth Senate amendment to section 2.

The Senate refuses to concur in House amendments to the twenty-sixth and twenty-seventh Senate amendments to section 1, and the second, tenth and fourteenth amendments to section 2, and insists upon its said amendments as orginally made.

The Senate asks for a committee of conference; and the President has appointed Messrs. Thompson, Jones and Buell such committee on part of the Senate.

Attest: S. K. DONAVIN, *Clerk.*

On motion of Mr. Eshelman, the request of the Senate for a committee of conference was acceded to; and Messrs. Eshelman, Green and Scott were appointed as said committee on the part of the House.

The question then recurred on the motion of Mr. Thompson of Lucas to reconsider the vote on the passage of S. B. No. 45.

On which the yeas and nays were ordered, and resulted—yeas 46, nays 42, as follows:

Those who voted in the affirmative were—

Messrs. Baker of Fairfield, Barnett, Baskin, Boyce, Brunner, Carnahan, Cole, Conklin, Eidson, Eshelman, Ford, Gowey, Green, Hardy, Hatfield, Haven, Heitmann, Hill, Hoagland, Howland, Huston, Inman, Kemp, Light, Marx, Martin, McCoy, McKinley, Morris, Myers of Fayette, Neff, Nelson, Newell, Norton, Pearson, Poe, Richmond, Sater, Scott, Sherrick, Stone, Thompson of Lucas, Thompson of Montgomery, Walker, Weible and Speaker—46.

Those who voted in the negative were—

Messrs. Armstrong of Belmont, Baker of Coshocton, Baker of Perry, Barrett, Bay, Bell, Blake, Case, Chapman of Cuyahoga, Chapman of Meigs, Cooley, Gordon, Grosvenor, Haag, Harrison, Herron, Hodge, Holloway, Holt, Johnson, Mack, Mann, McCloud, Mesloh, Miller, Munson, Myers of Ashland, Newton, Oren, Pattison, Ramsay, Richards, Robb, Sheppard, Van Meter, Varley, Vincent, Watson, West and Williams—42.

So the motion to reconsider was agreed to.

On motion of Mr. Sheppard, the House took a recess.

HALF-PAST TWO O'CLOCK P.M.

On motion of Mr. Brunner, a message was ordered to be sent to the Senate requesting the return of S. B. No. 45.

On motion of Mr. Hodge, H. B. No. 204, to amend section 16 of an act entitled an act to organize and regulate an independent militia, passed April 18, 1870, was taken up for consideration.

The question then being on agreeing to the Senate amendments to the bill, the yeas and nays were ordered, and resulted—yeas 59, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Baker of Perry, Bay, Beatty, Blake, Brunner, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Cole, Cooley, Conklin, Geghan, Gowey, Grosvenor, Haag, Hardy, Harrison, Hatfield, Herron, Hill, Hoagland, Hodge, Holloway, Holt, Huston, Inman, Lewis, Mack, Mann, Martin, McCloud, McKinley, McLain, Mesloh, Munson, Myers of Ashland, Myers of Fayette, Neff, Nelson, Norton, Pattison, Pearson, Ramsay, Richards, Robb, Sater, Stone, Thompson of Lucas, Thompson of Montgomery, Tryon, Van Meter, Varley, Vincent, Watson, Weible, White and Williams—59.

So the amendments were agreed to.

S. B. No. 115, to authorize the board of education of separate school district number one, of Hicksville township, Defiance county, Ohio, to borrow money and issue bonds for purchasing site and building a schoolhouse in said separate school district, was read the third time.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 62, nays 2, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Baker of Fairfield, Baskin, Beach, Beatty, Bell, Blake, Boyce, Brunner, Case, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Cole, Cooley, Conklin, Duncan, Eidson, Geghan, Haag, Harrison, Haven Heitmann, Herron, Hill, Hodge, Holloway, Holt, Huston, Kemp, Light, Mack, Mann, Martin, McCloud, McKinley, McLain, Mesloh, Moorehead, Munson, Myers of Ashland, Myers of Fayette, Neff, Nelson, Norton, Pattison, Pearson, Ramsay, Robb, Sater, Sheppard, Sherrick, Stone, Thompson of Montgomery, Tryon, Van Meter, Varley, Weible, West, White and Williams—62.

Messrs. Hoagland and Inman voted in the negative.

So the bill passed. The title was agreed to.

On motion of Mr. Boyce, the third reading of House Bills Nos. 229 and 322 was postponed until Saturday next.

S. B. No. 98, to amend an act entitled an act to incorporate sharpshooters' associations, passed March 6, 1867, was read the third time.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 46, nays 31, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Belmont, Baker of Coshocton, Baker of Perry, Barrett, Baskin, Bell, Blake, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Conklin, Duncan, Faxon, Geghan, Gordon, Grosvenor, Haag, Hardy, Holloway, Holt, Huston, Johnson, Lewis, Light, Loomis, Mann, Marx, Martin, McCloud, McCoy, McKinley, McLain, Morris, Myers of Ashland, Myers of Fayette, Neff, Pattison, Poe, Richmond, Sater, Sherrick, Thompson of Lucas, Walker, West, Williams and Speaker—46.

Those who voted in the negative were—

Messrs. Armstrong of Guernsey, Bay, Beach, Beatty, Chapman of Meigs,

Cole, Eidson, Gowey, Harrison, Hatfield, Haven, Herron, Hoagland, Hodge, Inman, Kemp, Mesloh, Moorehead, Nelson, Norton, Oren, Ramsay, Robb, Sheppard, Stone, Thompson of Montgomery, Tryon, Varley, Vincent, Watson and White—31.

So the bill, not having received a constitutional majority, was lost.

Mr. Neff submitted the following report:

The joint committee on Enrollment have examined, and found correctly enrolled, the following bills and joint resolution:

H. B. No. 300: To authorize the Madison County Agricultural Society to sell and convey certain lands.

H. J. R. No. 27: Relative to printing certain reports in the German language.

H. B. No. 280: For the consolidation of sub-school district numbers 5 and 7, in Rumley township, Harrison county, Ohio, into one sub-school district, to be known as sub school district number 5.

H. B. No. 312: To amend section 29 of an act establishing the superior court for the city of Cleveland, passed May 5, 1873.

H. B. 342: To prevent the sale of intoxicating liquors at or near the Ohio Soldiers' and Sailors' Orphans' Home, or within two miles of the boundary line of the Reform Farm, near Lancaster.

O. B. CHAPMAN, J. M. PATTISON,
H. M. CHAPMAN, J. C. FISHER,
L. A. BRUNNER, S. KNOX,
HENRY HARDY, M. C. LAWRENCE.
B. NEFF,

The Speaker *pro tem.*, in the presence of the House, signed said bills and joint resolution.

Mr. Pattison submitted the following report:

The joint committee on Enrollment have examined, and found correctly enrolled, the following bill:

H. B. No. 261: To create a joint sub-district for school purposes in the township of Miami, Logan county, Adams township, Champaign county, and Perry township, Shelby county, Ohio.

HENRY HARDY, M. C. LAWRENCE,
H. M. CHAPMAN, S. KNOX,
B. NEFF, O. B. CHAPMAN,
J. C. FISHER, J. M. PATTISON.

The Speaker *pro tem.*, in the presence of the House, signed said bill.

H. B. No. 265, to fix the prices for legal advertising, was read the third time.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 53, nays 11, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Guernsey, Baker of Coshocton, Baskin, Bell, Brunner, Chapman of Cuyahoga, Chapman of Meigs, Cole, Cooley, Conklin, Duncan, Faxon, Gowey, Gordon, Grosvenor, Hardy, Hatfield, Haven, Heitmann, Herron, Hodge, Holt, Huston, Inman, Johnson, Lewis, Light, Loomis, Mack, Mann, Martin, McCoy, McKinley, Mesloh, Moorehead, Morris, Murlin, Myers of Ashland, Myers of Fayette, Newell, Pearson, Poe, Ramsay, Robb, Sater, Sheppard, Thompson of Montgomery, Van Meter, Varley, Walker, Weible, West and White—53.

Those who voted in the negative were—

Messrs. Baker of Fairfield, Baker of Perry, Blake, Haag, Hill, Holloway, Nelson, Oren, Richards, Richmond and Williams—11.

So the bill passed. The title was agreed to.

S. B. No. 124, to amend an act entitled an act to amend an act entitled an act to amend section 7 of an act further to prescribe the duties of county commissioners, passed April 8, 1856, as amended February 26, 1857, as further amended May 7, 1869, was read the third time.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 79, nays 1, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Baker of Coshocton, Baker of Perry, Barnett, Barrett, Baskin, Bay, Beach, Beatty, Bell, Blake, Boyce, Brunner, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Cole, Cooley, Duncan, Eidson, Faxon, Geghan, Gowey, Gordon, Grosvenor, Haag, Hardy, Harrison, Hatfield, Haven, Heitmann, Herron, Hill, Hoagland, Hodge, Holloway, Holt, Huston, Iaman, Johnson, Kemp, Lewis, Light, Loomis, Mack, Martin, McCloud, McKinley, McLain, Mesloh, Miller, Moorehead, Morris, Munson, Murlin, Myers of Ashland, Myers of Fayette, Neff, Nelson, Newell, Norton, Pattison, Pearson, Ramsay, Richards, Sater, Stone, Thompson of Lucas, Thompson of Montgomery, Tryon, Van Meter, Varley, Vincent, Walker, Watson, Weible, West and Williams—79.

Mr. Robb voted in the negative.

So the bill passed. The title was agreed to.

S. B. No. 125, to authorize the commissioners of Washington county to levy a tax for constructing a road, was read the third time.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 69, nays 1, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Barrett, Baskin, Bay, Beach, Bell, Blake, Boyce, Case, Chapman of Meigs, Cole, Cooley, Duncan, Eidson, Faxon, Gowey, Gordon, Green, Haag, Harrison, Hatfield, Haven, Herron, Hill, Hoagland, Hodge, Holloway, Holt, Huston, Johnson, Kemp, Loomis, Mack, Mann, Marx, Martin, McKinley, McLain, Mesloh, Miller, Moorehead, Morris, Munson, Murlin, Myers of Ashland, Myers of Fayette, Neff, Newell, Pattison, Ramsay, Richards, Richmond, Sater, Stone, Thompson of Montgomery, Van Meter, Varley, Vincent, Walker, Watson, Weible, West, White and Williams—69.

Mr. Pearson voted in the negative.

So the bill passed. The title was agreed to.

On motion of Mr. Boyce, the vote by which the Senate amendments to H. B. No. 286 were lost was reconsidered.

The question then being on agreeing to the Senate amendments to said bill, the yeas and nays were ordered, and resulted—yeas 86, nays 1, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Barrett, Baskin, Bay, Beach, Beatty, Bell, Blake, Boyce, Brunner, Case, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Cole, Cooley, Conklin, Duncan, Eidson, Faxon, Geghan, Gowey, Gordon, Green, Grosvenor, Haag, Hardy, Harrison, Hatfield, Haven, Herron, Hill, Hoagland, Hodge, Holloway,

Holt, Howland, Huston, Inman, Johnson, Kemp, Lewis, Light, Loomis, Mack, Mann, Martin, McKinley, McLain, Mesloh, Miller, Moorehead, Morris, Munson, Myers of Ashland, Myers of Fayette, Neff, Nelson, Newell, Norton, Oren, Pattison, Poe, Ramsay, Richards, Richmond, Sater, Scott, Stone, Thompson of Lucas, Thompson of Montgomery, Tryon, Van Meter, Varley, Vincent, Walker, Watson, Weible, West, White and Williams—86.

Mr. Murlin voted in the negative.

So the amendments were agreed to.

On motion of Mr. Baker of Perry, the vote by which the Senate amendments to H. B. No. 285 were lost was reconsidered.

Mr. Norton demanded a call of the House. Eighty-five members answered to their names.

The absentees were Messrs. Archer, Barrett, Boyce, Brooke, Coler, Cooley, Conkright, Eshelman, Ford, Holloway, Johnson, Mack, Mann, Marx, McCoy, Newton, Parker, Pearson, Ray, Richards and Sherrick.

The Sergeant-at-Arms was dispatched for absentees.

Messrs. McCoy, Mack, Sherrick, Boyce, Eshelman and Ford appeared within the bar of the House, and answered to the call.

Mr. Eidson moved that all further proceeding under the call be dispensed with.

On which motion the yeas and nays were demanded, ordered, and resulted—yeas 27, nays 56, as follows :

Those who voted in the affirmative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Barrett, Bay, Beach, Chapman of Cuyahoga, Chapman of Meigs, Eidson, Gowey, Grosvenor, Harrison, Haven, Hodge, Loomis, Marx, Morris, Munson, Myers of Fayette, Ramsay, Richards, Richmond, Stone, Tryon, Varley, Vincent, West and Williams—27.

Those who voted in the negative were—

Messrs. Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Baskin, Beatty, Bell, Boyce, Brunner, Case, Carnahan, Cole, Conklin, Eshelman, Geghan, Gordon, Green, Haag, Hardy, Heitmann, Herron, Hill, Hoagland, Holloway, Howland, Huston, Inman, Johnson, Kemp, Lewis, Light, Mack, Martin, McCloud, McCoy, McKinley, Mesloh, Miller, Moorehead, Murlin, Myers of Ashland, Neff, Nelson, Newell, Norton, Pattison, Poe, Sater, Sheppard, Sherrick, Van Meter, Walker, Watson, Weible and White—56.

So the motion was not agreed to.

Messrs. Brooke, Archer and Pearson appeared within the bar of the House, and answered to the call.

On motion of Mr. Baskin, all further proceedings under the call were dispensed with.

The question then being on agreeing to Senate amendments to H. B. No. 285, the yeas and nays were ordered, and resulted—yeas 59, nays 11, as follows :

Those who voted in the affirmative were—

Messrs. Archer, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Baskin, Beach, Bell, Boyce, Brooke, Brunner, Case, Cole, Cooley, Conklin, Eidson, Eshelman, Geghan, Gordon, Green, Haag, Hardy, Hatfield, Heitmann, Hill, Hoagland, Hodge, Holt, Huston, Inman, Kemp, Lewis, Light, McCloud, McCoy, McKinley, Mesloh, Miller, Moorehead, Murlin, Myers of Ashland, Nelson, Newell, Norton, Pattison, Pearson, Poe,

Robb, Sater, Sheppard, Sherrick, Thompson of Montgomery, Van Meter, Walker, Watson, Weible, West, White and Speaker—59.

Those who voted in the negative were—

Messrs. Bay, Chapman of Cuyahoga, Chapman of Meigs, Mack, Mann, Morris, Myers of Fayette, Richmond, Scott, Stone and Varley—11.

So the amendments were agreed to.

S. B. No. 48, for the protection of certain burial grounds, was read the third time.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 62, nays 9, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Baker of Coshocton, Barrett, Baskin, Bay, Beatty, Brunner, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Cole, Cooley, Conklin, Duncan, Faxon, Ford, Gowey, Haag, Hardy, Harrison, Haven, Herron, Hoagland, Hodge, Holt, Howland, Inman, Johnson, Kemp, Loomis, Mack, Mann, Martin, McKinley, Miller, Moorehead, Morris, Munson, Myers of Ashland, Myers of Fayette, Nelson, Newell, Norton, Oren, Pattison, Pearson, Ramsay, Richmond, Sater, Stone, Thompson of Lucas, Thompson of Montgomery, Tryon, Van Meter, Varley, Vincent, Walker, Watson, Weible, White and Williams—62.

Those who voted in the negative were—

Messrs. Baker of Fairfield, Bell, Geghan, Gordon, Huston, Mesloh, Murlin, Robb and West—9.

So the bill passed. The title was agreed to.

Mr. McCoy submitted the following report:

The committee on Agriculture, to whom was referred H. B. No. 354, having had the same under consideration, report it back, with the following amendment, and recommend its passage:

Strike out the 5th series of items, and insert, "5th. For cutting and quarrying, buying and selling marble, iron, stone, slate, ice, or other natural or artificial products."

MILT. MCCOY, H. M. CHAPMAN,
ROBERT BARNETT, D. C. RICHMOND,
H. H. MACK, T. M. BAY.

The amendment was agreed to.

Said bill was then ordered to be engrossed at the Clerk's desk, and read the third time now.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 77, nays 3, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Guernsey, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Barrett, Baskin, Bay, Beatty, Bell, Blake, Boyce, Case, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Cole, Cooley, Conklin, Duncan, Eidson, Faxon, Geghan, Gowey, Green, Grosvenor, Haag, Harrison, Haven, Heitmann, Herron, Hodge, Holloway, Holt, Howland, Inman, Johnson, Kemp, Light, Loomis, Mack, Mann, Martin, McCloud, McCoy, McKinley, McLain, Mesloh, Moorehead, Morris, Munson, Murlin, Myers of Ashland, Myers of Fayette, Neff, Norton, Oren, Pattison, Pearson, Poe, Ramsay, Richards, Richmond, Robb, Scott, Sheppard, Sherrick, Stone, Thompson of Lucas, Tryon, Van Meter, Varley, Vincent, Watson, Weible, West and Williams—77.

Messrs. Hatfield, Thompson of Montgomery, and White voted in the negative.

So the bill passed. The title was agreed to.

Mr. Moorehead, on leave, submitted the following report:

The committee on Common Schools and School Lands, to whom was referred S. B. No. 144, to authorize the board of education of the special school district of Mineral Ridge, Trumbull county, to borrow money and issue bonds therefor, having had the same under consideration, report it back, and recommend its passage.

J. H. Moorehead, Johnson Sherrick,
E. Martin, H. G. Tryon.
O. Case,

Said bill was then ordered to be read the third time now.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 69, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Barrett, Baskin, Bay, Bell, Blake, Boyce, Brooke, Brunner, Case, Carnahan, Chapman of Cuyahoga, Cole, Cooley, Duncan, Eidson, Faxon, Ford, Gowey, Green, Haag, Hardy, Harrison, Hatfield, Haven, Herron, Hodge, Holloway, Holt, Howland, Inman, Johnson, Kemp, Lewis, Loomis, Mack, Mann, Marx, Martin, McCloud, McKinney, McLain, Mesloh, Moorehead, Morris, Munson, Myers of Fayette, Neff, Nelson, Pattison, Ramsay, Richmond, Robb, Scott, Stone, Thompson of Montgomery, Tryon, Van Meter, Varley, Vincent, Walker, Watson, Weible and Williams—69.

So the bill passed. The title was agreed to.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has concurred in the passage of the following bills:

H. B. No. 335: To authorize the trustees of the township of Harpersfield, Ashtabula county, to sell and convey real estate therein mentioned, and purchase other lands with the proceeds.

H. B. No. 317: To authorize the board of education of the Huntsville school district, in the incorporated village of Huntsville, in the county of Logan, to borrow money and issue bonds to build a school-house, or addition to the school-house, in said village, and to purchase additional territory to school-house lot.

Attest: S. K. Donavin, *Clerk.*

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has concurred in the passage of the following bills:

H. B. No. 147: Amendatory of an act to protect sidewalks, passed April 3, 1867.

H. B. No. 73: To amend sections 93 and 96 of an act entitled an act for the reorganization and maintenance of common schools, passed May 1, 1873.

Attest: S. K. Donavin, *Clerk.*

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has refused to concur in the passage of H. B. No. 249, to authorize boards of education to purchase text-books.

Attest: S. K. Donavin, *Clerk.*

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate accedes to the request of the House of Representatives for the return of S. B. No. 45, to amend section 44 of an act entitled an act

for the assessment and taxation of property in this State, and for levying taxes thereon, according to its true value in money, as amended May 8, 1868.

Attest: S. K. DONAVIN, *Clerk.*

The question being on the passage of the bill,

Mr. Grosvenor moved to recommit the bill to a select committee of one, with instructions to amend, as in the following report.

Which was agreed to; and Mr. Grosvenor was appointed said committee, who, on leave, made the following report:

The select committee of one to whom was referred S. B. No. 45, to amend section 44 of an act entitled an act for the assessment and taxation of property in this State, and for levying taxes thereon, according to its true value in money, as amended May 8, 1868, having had the same under consideration, reports it back, with the following amendment, and recommends its passage when so amended: Insert in line fourteen, before the word "the," the words "in any county in this State having by the Federal census of 1870 a population of 40,609, and no more."

C. H. GROSVENOR.

The question then being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 67, nays 10, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Baker of Coshocton, Baker of Perry, Barrett, Baskin, Bay, Beach, Beatty, Bell, Blake, Boyce, Brooke, Brunner, Case, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Cooley, Duncan, Green, Grosvenor, Haag, Hardy, Harrison, Hatfield, Haven, Herron, Hodge, Holloway, Holt, Johnson, Kemp, Lewis, Light, Loomis, Mack, Mann, McKinley, McLain, Mesloh, Morris, Munson, Myers of Ashland, Myers of Fayette, Neff, Nelson, Oren, Pattison, Pearson, Ramsay, Richards, Robb, Sheppard, Sherrick, Stone, Thompson of Lucas, Thompson of Montgomery, Tryon, Van Meter, Varley, Vincent, Walker, Watson, Weible, West and Williams—67.

Those who voted in the negative were—

Messrs. Baker of Fairfield, Boyce, Cole, Conklin, Eidson, Hoagland, Howland, Inman, Marx and Martin—10.

So the bill passed. The title was agreed to.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has concurred in the passage of H. B. No. 306, to amend section 19 of an act for the relief of the poor, passed April 26, 1872, with the following amendments, in which the concurrence of the House of Representatives is requested: In section 1, line nine, after the word "of," insert the words "the county, or in case the whole county is not so taxed, then by the qualified electors of." In line ten, same section, strike out the words "in said county." Add at the end of section 2 the following: "Provided, that nothing in this act shall be so construed as to affect any person or persons now holding office under the section herein repealed."

Attest: S. K. DONAVIN, *Clerk.*

The question being on agreeing to the Senate amendments, the yeas and nays were ordered, and resulted—yeas 69, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Baskin, Bay, Beach,

Beatty, Bell, Blake, Boyce, Brunner, Case, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Cole, Cooley, Conklin, Duncan, Eidson, Faxon, Ford, Gowey, Green, Grosvenor, Hardy, Haven, Herron, Hoagland, Holt, Johnson, Kemp, Light, Loomis, Mack, Martin, McKinley, McLain, Mesloh, Moorehead, Morris, Munson, Murlin, Myers of Ashland, Myers of Fayette, Nelson, Newell, Oren, Pattison, Ramsay, Richards, Robb, Sater, Sherrick, Stone, Thompson of Lucas, Thompson of Montgomery, Van Meter, Varley, Vincent, Walker, Watson, Weible, West, White and Williams—69.

So the amendments were agreed to.

Mr. Richards moved to reconsider the vote by which H. B. No. 329 was lost.

Which was agreed to.

On motion of Mr. Beatty, the further consideration of the bill was postponed until December next.

On motion of Mr. Kemp, H. B. No. 57 was taken from the table.

Mr. Pattison moved to postpone the further consideration of the bill until to-morrow.

Mr. Thompson of Montgomery moved to postpone the bill until January, 1875.

On which motion the yeas and nays were demanded, ordered, and resulted—yeas 33, nays 53, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Belmont, Baker of Coshocton, Beach, Bell, Brunner, Chapman of Cuyahoga, Cole, Duncan, Eidson, Gordon, Haag, Hatfield, Hodge, Holt, Howland, Huston, Johnson, McCloud, Mesloh, Miller, Moorehead, Morris, Murlin, Myers of Ashland, Norton, Pearson, Ramsay, Sater, Sheppard, Thompson of Montgomery, Vincent, Walker and White—33.

Those who voted in the negative were—

Messrs. Armstrong of Guernsey, Baker of Fairfield, Baker of Perry, Barnett, Barrett, Baskin, Bay, Beatty, Blake, Boyce, Case, Carnahan, Conklin, Faxon, Ford, Gowey, Green, Grosvenor, Hardy, Harrison, Haven, Herron, Hoagland, Holloway, Inman, Kemp, Light, Loomis, Mack, Mann, Marx, Martin, McCoy, McKinley, McLain, Munson, Myers of Fayette, Neff, Nelson, Oren, Pattison, Richards, Richmond, Robb, Sater, Scott, Thompson of Lucas, Tryon, Van Meter, Varley, Watson, Weible, West and Williams—53.

So the motion was disagreed to.

The question then recurred on the motion of Mr. Pattison to postpone until to-morrow.

Which was disagreed to.

The question then being on agreeing to the Senate amendments to the bill, the yeas and nays were ordered, and resulted—yeas 61, nays 27, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Baker of Coshocton, Baker of Perry, Barnett, Barrett, Baskin, Bay, Beatty, Blake, Brunner, Chapman of Cuyahoga, Chapman of Meigs, Cole, Cooley, Conklin, Eshelman, Faxon, Ford, Gowey, Green, Grosvenor, Harrison, Haven, Heitmann, Hoagland, Hodge, Holloway, Huston, Inman, Kemp, Light, Loomis, Mack, Mann, Marx, Martin, McCoy, McLain, Mesloh, Morris, Munson, Myers of Fayette, Neff, Nelson, Newell, Newton, Oren, Pattison, Ramsay, Richards, Richmond, Robb, Scott, Stone, Thompson of Lucas, Tryon, Varley, Vincent, West and Williams—61.

Those who voted in the negative were—

Messrs. Beach, Bell, Boyce, Carnahan, Eidson, Gordon, Hardy, Hatfield, Herron, Holt, Howland. Johnson, Lewis, McKinley, Miller, Murlin, Myers of Ashland, Norton, Pearson, Poe, Sater, Sheppard, Sherrick, Thompson of Montgomery, Van Meter, Walker and White—27.

So the amendments were agreed to.

Mr. Eshelman submitted the following report:

The committee of conference to whom was referred the matters in difference between the two houses on Senate amendments to H. B. No. 175, recommend—

That the Senate recede from its amendments Nos. 13, 16 and 17, in section 1, and Nos. 3, 17 and 18, in section 2.

That the House concur in Senate amendments Nos. 12, 19 and 20, in section 1, and Nos. 9 and 16, in section 2.

That the House recede from the following words in its amendment to Senate amendment No. 26 to section 1: "For payment of phonographic reporter, under Senate resolution passed March 16, 1874, two hundred and fifty dollars." Add after the word "thousand," in line 8 of the Senate amendment, "two hundred and fifty," and that the Senate concur in the following words to said amendment: "Add at the end of line 12 of the Senate amendment, 'For the per diem and mileage of members, and the per diem and mileage of clerks, sergeants-at-arms, and messengers of the General Assembly, in addition to other appropriations, fifteen thousand dollars;" and that the House recede from its amendment to Senate amendment No. 27, in section 1.

That House amendment to Senate amendment No. 2, section 2, be amended by striking out the word "four," and inserting the word "three."

That the Senate recede from its amendment No. 10 to section 2.

That the House recede from its amendment to Senate amendment No. 10 to section 2.

That House amendment to Senate amendment No. 14 to section 2 be amended by striking out the word "four," and inserting the word "three."

That Senate amendment No. 22, section 2, be stricken out of section 2, and inserted at the end of section 1, and, when so amended, it be agreed to.

E. B. ESHELMAN,	JOHN G. THOMPSON,
J. SCOTT,	L. C. JONES,
E. M. GREEN,	P. B. BUELL,
House Committee.	*Senate Committee.*

Mr. Grosvenor moved that the House take a recess until 9 o'clock A.M. to-morrow.

Mr. White moved that the House do now adjourn.

On which motion the yeas and nays were demanded, ordered, and resulted—yeas 49, nays 42, as follows:

Those who voted in the affirmative were—

Messrs. Baker of Coshocton, Baker of Fairfield, Barnett, Barrett, Baskin, Bay, Beatty, Blake, Boyce, Brooke, Brunner, Case, Carnahan, Chapman of Meigs, Cole, Conklin, Eidson, Haven, Herron, Hoagland, Holloway, Howland, Inman, Johnson, Loomis, Mack, Martin, McCoy, McKinley, McLain, Moorhead, Munson, Neff, Norton, Oren, Pattison, Ramsay, Richards, Sater, Sheppard, Sherrick, Thompson of Lucas, Thompson of Montgomery, Vincent, Watson, Weible, West, White and Williams—49.

Those who voted in the negative were—

Messrs. Armstrong of Belmont, Baker of Perry, Beach, Chapman of Cuyahoga, Cooley, Duncan, Eshelman, Faxon, Ford, Geghan, Gowey,

Gordon, Green, Grosvenor, Haag, Hardy, Harrison, Hatfield, Hodge, Holt, Huston, Kemp, Light, Marx, McCloud, Miller, Morris, Murlin, Myers of Ashland, Myers of Fayette, Nelson, Newell, Newton, Pearson, Poe, Richmond, Robb, Stone, Tryon, Van Meter, Varley and Walker—42.

So the motion was agreed to, and the House adjourned.

Attest: THOMAS COUGHLIN, *Clerk.*

FRIDAY, APRIL 17, 1874—10 o'clock A.M.

The House met pursuant to adjournment.

Prayer by Rev. T. D. Garvin.

The Journal was read and approved.

On motion of Mr. Grosvenor, the vote by which the title to H. B. No. 57 was agreed to was reconsidered.

Mr. Grosvenor then moved to amend the title as follows:

"An act to protect certain birds and game, and to protect land-owners and punish trespassing upon improved or inclosed land, and to repeal certain statutes therein designated."

Which was agreed to.

The title, as amended, was then agreed to.

Mr. Hodge moved a reconsideration of the vote by which S. B. No. 98 was lost.

Which was agreed to.

On motion of Mr. Hodge, a message was ordered to be sent to the Senate requesting the return of the bill.

Mr. Pattison moved to suspend the rule for the purpose of introducing a resolution.

On which motion the yeas and nays were demanded, ordered, and resulted—yeas 57, nays 14, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Baker of Coshocton, Barrett, Bay, Beatty, Blake, Boyce, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Cooley, Conkright, Duncan, Eshelman, Faxon, Geghan, Green, Grosvenor, Hardy, Haven, Herron, Hodge, Holloway, Holt, Huston, Lewis, Light, Loomis, Mack, Mann, Marx, McCloud, McCoy, McLain, Moorehead, Munson, Myers of Fayette, Neff, Newell, Newton, Oren, Pattison, Pearson, Poe, Ramsay, Richards, Sater, Sheppard, Sherrick, Stone, Thompson of Lucas, Tryon, Van Meter, Walker, Weible, West and Williams—57.

Those who voted in the negative were—

Messrs. Baker of Fairfield, Beach, Brunner, Case, Cole, Conklin, Eidson, Harrison, Hill, Hoagland, Martin, McKinley, Robb, and Thompson of Montgomery—14.

So the motion was agreed to.

Mr. Pattison then offered the following resolution:

H. R. No. 97: *Resolved*, That Isaac T. Moore, enrolling clerk of the House, is entitled to ten days' extra per diem for extra services performed during this session of the General Assembly, and the presiding officer is hereby authorized to so certify in his favor.

Mr. Conklin rose to a point of order, claiming the resolution out of order under House Rule No. 64.

Which point of order was sustained.

Mr. Pattison then gave notice that he would introduce such resolution.

Mr. Inman presented the remonstrance of J. H. Rhodes and 285 other

citizens of Greencreek township, Sandusky county, against the passage of H. B. No. 330, known as the Pearson bill.

Which was referred to the committee on Temperance.

Mr. West presented the petition of B. F. Jones and 37 other citizens of Clermont county, for the repeal of sections 116 and 117 of the school laws.

Which was referred to the committee on Common Schools and School Lands.

Mr. Oren presented the remonstrance of J. D. Haynie and 135 other citizens of Blanchester, Clinton county, against the repeal of the McConnelsville ordinance by the passage of what is known as the Pearson bill.

Which was referred to the committee on Temperance.

On motion of Mr. Eshelman, the report of the committee of conference on H. B. No. 175 was taken up for consideration.

The question being on agreeing to the report of the committee, the yeas and nays were ordered, and resulted—yeas 7, nays 70, as follows:

Those who voted in the affirmative were—

Messrs. Eshelman, Inman, Myers of Ashland, Richmond, Sater, Sherrick and Williams—7.

Those who voted in the negative were—

Messrs. Archer, Armstrong of Guernsey, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Baskin, Bay, Beach, Beatty, Bell, Blake, Boyce, Brunner, Case, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Cole, Conklin, Conkright, Duncan, Eidson, Faxon, Ford, Gowey, Grosvenor, Haag, Hardy, Harrison, Haven, Herron, Hill, Hoagland, Hodge, Holloway, Holt, Howland, Huston, Kemp, Lewis, Light, Loomis, Mack, Mann, Martin, McCoy, McKinley, McLain, Mesloh, Moorehead, Morris, Munson, Murlin, Myers of Fayette, Neff, Nelson, Oren, Richards, Sheppard, Stone, Thompson of Lucas, Thompson of Montgomery, Tryon, Van Meter, Varley, Vincent, Watson, Weible, West and White—70.

So the report was disagreed to.

On motion of Mr. Howland, the House insisted on its amendments, and asked of the Senate another committee of conference.

The Speaker appointed as said committee on the part of the House Messrs. McCoy, Howland and McCloud.

S. B. No. 135, to authorize the trustees of Sharon township, Richland county, Ohio, to pay a balance on a certain promissory note out of the general funds of said county, was read the third time.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 65, nays 4, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Guernsey, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Baskin, Bay, Beach, Beatty, Bell, Blake, Boyce, Brunner, Case, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Cole, Cooley, Conklin, Conkright, Duncan, Eidson, Eshelman, Faxon, Grosvenor, Haag, Harrison, Hatfield, Herron, Hill, Hodge, Holt, Huston, Inman, Kemp, Loomis, Mack, Mann, Marx, McCoy, McKinley, Mesloh, Moorehead, Morris, Munson, Murlin, Myers of Fayette, Nelson, Newton, Pattison, Pearson, Poe, Ramsay, Richards, Richmond, Robb, Sater, Stone, Thompson of Lucas, Thompson of Montgomery, Van Meter, Weible, West and Williams—65.

Messrs. Haven, Hoagland, Ford and Gowey voted in the negative.

So the bill passed. The title was agreed to.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has concurred in House amendments to S. B. No. 45, to amend section 44 of an act entitled an act for the assessment and taxation of property in this State, and for levying taxes thereon, according to its true value in money, as amended May 8, 1868.

Attest: S. K. DONAVIN, *Clerk.*

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has indefinitely postponed H. B. No. 246, to amend section 439 of an act entitled an act to provide for the organization and government of municipal corporations, passed May 7, 1869.

Attest: S. K. DONAVIN, *Clerk.*

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has passed the following bill, in which the concurrence of the House of Representatives is requested:

S. B. No. 133—By Mr. Worthington: Supplemental to an act entitled an act for the inspection of gas meters, the protection of gas consumers, and the protection and regulation of gas companies, passed April 6, 1866. (S. & S., 158.)

Attest: S. K. DONAVIN, *Clerk.*

Said bill was read the first time.

Mr. Boyce moved to dispense with the constitutional rule, and that the bill be read the second time by its title.

On which motion the yeas and nays were demanded, ordered, and resulted—yeas 59, nays 11, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Belmont, Baker of Coshocton, Baker of Perry, Barrett, Baskin, Bay, Beach, Bell, Boyce, Carnahan, Chapman of Meigs, Cooley, Conklin, Conkright, Eidson, Eshelman, Ford, Gowey, Green, Harrison, Hatfield, Haven, Herron, Hoagland, Holloway, Holt, Howland, Huston, Inman, Kemp, Light, Loomis, Mack, McCloud, McCoy, McLain, Moorehead, Morris, Munson, Myers of Ashland, Myers of Fayette, Neff, Nelson, Newton, Oren, Pattison, Pearson, Ramsay, Richards, Sater, Stone, Tryon, Van Meter Varley, Vincent, Watson, Weible, West and Williams—59.

Those who voted in the negative were—

Messrs. Chapman of Cuyahoga, Cole, Grosvenor, Haag, Hardy, Hill, Hodge, Marx, Murlin, Richmond and White—11.

So the motion, not having received a two thirds vote, was lost.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has refused to concur in House amendments to S. B. No. 125, to authorize the commissioners of Washington county, Ohio, to levy a tax for constructing a road.

Attest: S. K. DONAVIN, *Clerk.*

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate requests the return of H. B. No. 309, to amend an act entitled an act supplementary to an act entitled an act to provide for the

organization and government of municipal corporations, passed May 7, 1869, passed April 28, 1873.

Attest: S. K. DONAVIN, *Clerk.*

On motion of Mr. Hodge, the request of the Senate was acceded to.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has passed the following bill, in which the concurrence of the House of Representatives is requested:

S. B. No. 94—By Mr. Goodhue: To define and establish the practice in trials for the contesting of wills.

Attest: S. K DONAVIN, *Clerk.*

Said bill was read the first time.

S. B. No. 127, to amend section 6 of an act entitled an act to prevent cruelty to animals, passed April 4, 1871, was read the third time.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 54, nays 24, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Guernsey, Baker of Coshocton, Baker of Perry, Barnett, Beach, Beatty, Bell, Chapman of Cuyahoga, Chapman of Meigs, Cole, Cooley, Duncan, Eidson, Eshelman, Faxon, Ford, Grosvenor, Haven, Herron, Hodge, Holloway, Holt, Lewis Light, Loomis, Mack, Mann, McCloud, McCoy, McLain, Meslob, Morris, Munson, Myers of Fayette, Neff, Nelson, Newton, Pattison, Pearson, Poe, Ramsay, Richards, Richmond, Sater, Stone, Thompson of Lucas, Thompson of Montgomery, Tryon, Van Meter, Varley, Vincent, Walker, Watson and Williams—54.

Those who voted in the negative were—

Messrs. Armstrong of Belmont, Baker of Fairfield, Baskin, Case, Conklin, Conkright, Haag, Harrison, Hatfield, Hill, Hoagland, Huston, Inman, Kemp, Marx, McKinley, Moorehead, Murlin, Myers of Ashland, Robb, Sheppard, Sherrick, Weible and White—24.

So the bill passed. The title was agreed to.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has passed the following bills, in which the concurrence of the House of Representatives is requested:

S. B. No. 169—By Mr. Thompson: To revive section 17 of the act entitled an act to regulate and govern the Ohio Penitentiary, passed April 1 1867. (S. & S., p. 515.)

S. B. No. 164—By Mr. Reid: To amend section 522 of an act entitled an act to establish a code of civil procedure, passed March 11, 1853. (2 S. & C., pp. 1105 and 1106.)

Attest: S. K. DONAVIN, *Clerk.*

Said bills were read the first time.

On motion of Mr. Beach, the constitutional rule was dispensed with, and S. B. No. 169 read the second time by its title.

Said bill was then ordered to be read the third time to-morrow.

On motion of Mr. Grosvenor, the constitutional rule was dispensed with, and S. B. No. 164 was read the second time by its title, and referred to the committee on the Judiciary.

On motion of Mr. Haag, the House took a recess.

HALF-PAST TWO O'CLOCK P.M.

Mr. McLain, on leave, offered the following resolution:

H. R. No. 98: *Resolved,* That the Chief Clerk of this House is hereby

authorized to employ such additional clerical force as is necessary to a prompt discharge of his duties during the balance of this session.

The question being on the adoption of said resolution, the yeas and nays were ordered, and resulted—yeas 58, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Baker of Coshocton, Bay, Beach, Beatty, Bell, Blake, Boyce, Brunner, Case, Cole, Cooley, Conkright, Duncan, Eidson, Eshelman, Faxon, Grosvenor, Haag, Hardy, Harrison, Haven, Herron, Hoagland, Hodge, Holloway, Holt, Inman, Light, Loomis, Mack, Mann, McCoy, McLain, Miller, Morris, Myers of Ashland, Neff, Nelson, Newton, Norton, Oren, Poe, Ramsay, Richards, Richmond, Robb, Sherrick, Stone, Thompson of Lucas, Tryon, Van Meter, Varley, Vincent, Weible, West and Speaker—58.

So the resolution was adopted.

Mr. Miller moved to suspend the rule, and that H. B. No. 262 be taken from the table.

Which was disagreed to.

H. B. No. 321, to amend section 9 of an act entitled an act concerning divorce and alimony, passed March 11, 1853, as amended March 1, 1870, and amended February 27, 1873, was read the third time.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 63, nays 1, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Beatty, Bell, Blake, Case, Chapman of Cuyahoga, Cole, Cooley, Conklin, Conkright, Duncan, Eidson, Eshelman, Faxon, Geghan, Grosvenor, Haag, Harrison, Haven, Hill, Hoagland, Holloway, Holt, Howland, Loomis, Mack, Mann, Martin, McCloud, McCoy, McKinley, McLain, Mesloh, Morris, Munson, Murlin, Myers of Ashland, Myers of Fayette, Neff, Nelson, Newton, Pearson, Poe, Ramsay, Richards, Richmond, Robb, Sater, Sheppard, Sherrick, Stone, Thompson of Lucas, Van Meter, Varley, Vincent, Weible, West and Williams—63.

Mr. Baskin voted in the negative.

So the bill passed. The title was agreed to.

Mr. Watson, on leave, offered for adoption the following resolution:

H. R. No. 99: *Resolved*, That the opinion of the Attorney-General of the State in response to H. R. No. 61, in relation to the transfers of public funds, and also his report in response to H. R. No. 91, in relation to assessing taxes in aid of agricultural societies, be printed in the appendix to the Journal.

Said resolution was adopted.

S. B. No. 90, to amend sections 1 and 2 of an act entitled an act to amend an act entitled an act to regulate the standard per bushel of stone-coal and the measure of cord-wood, and to renumber section 3, and repeal sections 1 and 2, passed April 29, 1872, was read the third time.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 56, nays 33, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Baker of Coshocton, Beatty, Bell, Blake, Boyce, Brunner, Chapman of Cuyahoga, Chapman of Meigs, Cooley, Conklin, Conkright, Eshelman, Faxon, Ford, Geghan, Gordon, Green, Grosvenor, Haag, Haven, Hill, Hodge, Holloway, Holt, Howland, Huston, Inman, Kemp, Loomis, Mack, Mann, Marx, Martin, McLain, Mesloh, Miller, Morris, Mun-

son, Murlin, Myers of Fayette, Neff, Newell, Newton, Pattison, Pearson, Poe, Richards, Richmond, Robb, Sater, Thompson of Lucas, Thompson of Montgomery, Tryon, West and Williams—56.

Those who voted in the negative were—

Messrs. Armstrong of Belmont, Baker of Fairfield, Barnett, Barrett, Baskin, Bay, Beach, Case, Cole, Duncan, Eidson, Hardy, Harrison, Herron, Hoagland, Lewis, Light, McCloud, McCoy, Moorehead, Nelson, Ramsay, Sherrick, Stone, Van Meter, Varley, Vincent, Walker, Watson, Weible and White—31.

So the bill passed. The title was agreed to.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has acceded to the request of the House of Representatives for a second committee of conference on amendments to H. B. No. 175, making appropriations for the fiscal year 1874 and the first quarter of the fiscal year 1875.

The President has appointed Messrs. Shepherd, Andrews and Rukenbrod such committee on the part of the Senate.

Attest: S. K. DONAVIN, *Clerk.*

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has concurred in the passage of H. B. No. 264, to provide for the republication of certain volumes of the Ohio State Reports.

Attest: S. K. DONAVIN, *Clerk.*

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate accedes to the request of the House of Representatives for the return of S. B. No. 98, to amend an act entitled an act to incorporate sharpshooters' associations, passed May 7, 1867.

Attest: S. K. DONAVIN, *Clerk.*

The question then being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 34, nays 36, as follows:

Those who voted in the affirmative were—

Messrs. Baker of Coshocton, Baker of Perry, Beatty, Blake, Case, Chapman of Cuyahoga, Chapman of Meigs, Cooley, Duncan, Eshelman, Faxon, Ford, Geghan, Grosvenor, Haven, Hodge, Holt, Huston, Lewis, Loomis, Marx, Martin, McCloud, McLain, Munson, Myers of Fayette, Neff, Nelson, Pattison, Poe, Richmond, Sater, Thompson of Lucas, and West—34.

Those who voted in the negative were—

Messrs. Armstrong of Belmont, Baker of Fairfield, Barnett, Barrett, Baskin, Bay, Cole, Conklin, Eidson, Gordon, Green, Harrison, Hatfield, Hill, Hoagland, Howland, Mann, McKinley, Mesloh, Moorehead, Murlin, Myers of Ashland, Newell, Newton, Norton, Oren, Pearson, Robb, Sherrick, Stone, Tryon, Varley, Vincent, Walker, Weible and White—36.

So the bill was lost.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has passed the following bill, in which the concurrence of the House of Representatives is requested:

S. B. No. 148—By Mr. Newman: To amend section 1 of an act entitled

an act to fix the rates of toll on turnpike and plank-road companies, passed March 16, 1865. (S. & S., p. 147.)

Attest: S. K. DONAVIN, *Clerk.*

Said bill was read the first time.

S. B. No. 150, to authorize the city council of the city of Zanesville, Ohio, to issue bonds and borrow money for the purchase of additional cemetery grounds, was read the third time.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 33, nays 23, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Beach, Bell, Boyce, Case, Chapman of Meigs, Cole, Conklin, Conkright, Duncan, Herron, Hill, Hodge, Holloway, Holt, Light, Mann, McKinley, Myers of Ashland, Myers of Fayette, Neff, Nelson, Richmond, Robb, Sater, Sheppard, Thompson of Montgomery, Weible and Williams—33.

Those who voted in the negative were—

Messrs. Barnett, Blake, Brunner, Chapman of Cuyahoga, Eidson, Ford, Geghan, Gowey, Gordon, Grosvenor, Hardy, Hoagland, Huston, Inman, Martin, Miller, Newton, Sherrick, Stone, Varley, Vincent, Walker and West—23.

So the bill, not having received a constitutional majority, was lost.

On motion of Mr. Sherrick, the vote by which the bill was lost was reconsidered, and, on his motion, laid on the table.

S. B. No. 132, to authorize the commissioners of the counties of Coshocton and Knox to build a bridge across the Mohican river, at or near the village of Rochester, in Tiverton township, Coshocton county, was read the third time.

Mr. Chapman of Cuyahoga moved to recommit the bill to a select committee of one, with instructions to amend as follows: "Provided, that the commissioners shall first submit the question of 'Tax—Yes' or 'Tax—No' to the qualified voters of said counties of Knox and Coshocton, at a general election; and the voters at said election shall have written or printed upon their ballots the words 'Tax—Yes,' or the words 'Tax—No'; and the vote of the majority voting at said election shall determine the question."

Which was disagreed to.

The question then being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 13, nays 46, as follows:

Those who voted in the affirmative were—

Messrs. Blake, Chapman of Meigs, Duncan, Faxon, Hatfield, Hodge, Holloway, Holt, Mann, Marx, Martin, Munson and Neff—13.

Those who voted in the negative were—

Messrs. Archer, Baker of Coshocton, Baker of Fairfield, Barnett, Barrett, Beach, Beatty, Bell, Case, Cole, Conklin, Conkright, Eshelman, Geghan, Gordon, Green, Grosvenor, Hardy, Harrison, Herron, Hill, Hoagland, Inman, Kemp, Mack, Mesloh, Moorehead, Murlin, Myers of Fayette, Nelson, Pearson, Ramsay, Robb, Sater, Sherrick, Stone, Thompson of Montgomery, Van Meter, Varley, Vincent, Walker, Watson, Weible, West, White and Williams—46.

So the bill was lost.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has concurred in the passage of H. B. No. 234, to authorize

the trustees of Lagrange township, Lorain county, Ohio, to borrow money to build a town hall, with the following amendment, in which the concurrence of the House of Representatives is requested :

In the eighteenth line of the 2d section, between the words "general" and "election," insert the words "or special."

Attest : S. K. DONAVIN, *Clerk.*

The question being on agreeing to Senate amendment to said bill, the yeas and nays were ordered, and resulted—yeas 66, nays 1, as follows :

Those who voted in the affirmative were—

Messrs. Armstrong of Belmont, Baker of Coshocton, Barrett, Bay, Bell, Blake, Boyce, Case, Chapman of Cuyahoga, Chapman of Meigs, Cole, Duncan, Eidson, Eshelman, Faxon, Ford, Geghan, Gowey, Gordon, Green, Grosvenor, Harrison, Hatfield, Herron, Hoagland, Hodge, Holt, Huston, Inman, Lewis, Light, Loomis, Mack, Mann, Marx, Martin, McKinley, Mesloh, Miller, Moorehead, Munson, Murlin, Myers of Ashland, Myers of Fayette, Neff, Nelson, Newell, Newton, Oren, Pattison, Pearson, Ramsay, Richards, Richmond, Robb, Sater, Stone, Thompson of Montgomery, Tryon, Van Meter, Varley, Vincent, Watson, Weible, West and Williams—66.

Mr. Walker voted in the negative.

So the amendment was agreed to.

Mr. Brunner gave notice of his intention to introduce a resolution to pay Samuel Shaffer for his services as reporter during this session of the General Assembly.

S. B. No. 74, prescribing the rate of State taxes, and to repeal an act therein named, was read the third time.

Mr. Eshelman demanded a call of the House, and 85 members answered to their names.

The absentees were Messrs. Archer, Brooke, Carnahan, Coler, Cooley, Eidson, Geghan, Green, Howland, Inman, Johnson, Kemp, McCloud, McLain, Morris, Parker, Ray, Scott, Sheppard, and Thompson of Lucas.

The Sergeant at-Arms was dispatched for absentees.

On motion of Mr. Beach, all further proceedings under the call were dispensed with.

Mr. Grosvenor moved to commit the bill to a select committee of one, with instructions to amend as follows : In line four, section 1, strike out "five-tenths" and insert "nine-twentieths." In line eleven strike out "five-tenths" and insert "nine-twentieths." In line twenty strike out "eight-tenths" and insert "seven-tenths."

On which the yeas and nays were demanded, ordered, and resulted—yeas 37, nays 51, as follows :

Those who voted in the affirmative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Barrett, Bay, Beatty, Blake, Chapman of Cuyahoga, Chapman of Meigs, Conkright, Eidson, Faxon, Gowey, Grosvenor, Hardy, Harrison, Haven, Herron, Hodge, Holloway, Loomis, Mack, Mann, Martin, Munson, Myers of Fayette, Neff, Oren, Ramsay, Richards, Richmond, Stone, Thompson of Lucas, Tryon, Varley, Vincent, White and Williams—37.

Those who voted in the negative were—

Messrs. Archer, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Baskin, Beach, Bell, Boyce, Brunner, Case, Cole, Conklin, Eshelman, Geghan, Gordon, Green, Haag, Hatfield, Heitmann, Hill, Hoagland, Holt, Huston, Inman, Kemp, Light, McCloud, McCoy, McKinley, Mesloh, Moorehead, Murlin, Myers of Ashland, Nelson, Newell, Newton,

Norton, Pattison, Pearson, Poe, Robb, Sater, Sheppard, Sherrick, Thompson of Montgomery, Van Meter, Walker, Watson, Weible and West—51.

So the motion was not agreed to.

The question then being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 89, nays 5, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Guernsey, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Barrett, Baskin, Bay, Beach, Beatty, Bell, Blake, Boyce, Brunner, Case, Chapman of Cuyahoga, Chapman of Meigs, Cole, Conklin, Conkright, Eidson, Eshelman, Faxon, Ford, Geghan, Gowey, Gordon, Green, Grosvenor, Haag, Hardy, Harrison, Hatfield, Haven, Heitmann, Herron, Hill, Hoagland, Hodge, Holloway, Holt, Huston, Inman, Kemp, Lewis, Light, Loomis, Mack, Mann, Marx, Martin, McCloud, McCoy, McKinley, McLain, Mesloh, Miller, Moorehead, Munson, Murlin, Myers of Ashland, Neff, Nelson, Newell, Newton, Norton, Pattison, Pearson, Poe, Ramsay, Richards, Richmond, Robb, Sater, Sheppard, Sherrick, Stone, Thompson of Lucas, Thompson of Montgomery, Van Meter, Varley, Vincent, Walker, Watson, Weible, West, Williams and Speaker—89.

Those who voted in the negative were—

Messrs. Morris, Myers of Fayette, Oren, Tryon and White—5.

So the bill passed. The title was agreed to.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has concurred in the passage of the following bills:

H. B. No. 308: To create two election precincts in Scipio township, Meigs county.

H. B. No. 310: To enable trustees of religious denominations to become incorporated, and defining their powers.

H. B. No. 101: To authorize the commissioners of Allen county to levy a tax to purchase and improve fair grounds for the agricultural society of said county.

Attest: S. K. DONAVIN, *Clerk.*

Mr. Brunner submitted the following report:

The joint committee on Enrollment have examined, and found correctly enrolled, the following bills:

H. B. No. 276: To authorize the commissioners of Lucas county to levy a tax for the purpose of purchasing and improving additional grounds for the Lucas County Agricultural Society.

H. B. No. 143: To authorize the commissioners of Van Wert county to build a court-house.

H. B. No. 165: To create original fractional township 8, north, range 12, east, in Wood county, Ohio, and the part of township 3, United States Reserve, lying west of and between said township 8 and Maumee river, into a separate township.

L. A. BRUNNER, B. NEFF,
HENRY HARDY, M. C. LAWRENCE,
O. B. CHAPMAN, S. KNOX,
J. M. PATTISON, J. C. FISHER.
H. M. CHAPMAN,

The Speaker, in the presence of the House, signed said bills.

S. B. No. 84, to repeal an act entitled an act to incorporate the Union Bridge Company, passed February 11, 1832, was read the third time.

The question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 65, nays 1, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Guernsey, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Beach, Beatty, Bell, Blake, Boyce, Chapman of Meigs, Cole, Conklin, Conkright, Duncan, Eidson, Eshelman, Faxon, Geghan, Gowey, Gordon, Green, Grosvenor, Haag, Hardy, Harrison, Haven, Hill, Hoagland, Holloway, Holt, Huston, Kemp, Lewis, Light, Loomis, Mack, Mann, Marx, McKinley, Mesloh, Moorehead, Munson, Murlin, Myers of Fayette, Neff, Nelson, Newton, Pattison, Pearson, Poe, Ramsay, Richards, Richmond, Robb, Stone, Thompson of Lucas, Thompson of Montgomery, Tryon, Van Meter, Varley, Walker, Weible, West and Williams—65.

Mr. Chapman of Cuyahoga voted in the negative.

So the bill passed. The title was agreed to.

On motion of Mr. Gowey, the rules were suspended, and S. J. R. No. 37 was taken from the table.

The question being on the adoption of the resolution, the yeas and nays were ordered, and resulted—yeas 86, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Archer, Armstrong of Belmont, Armstrong of Guernsey, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Barrett, Baskin, Beach, Beatty, Bell, Blake, Boyce, Brunner, Case, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Cole, Conklin, Conkright, Duncan, Eidson, Eshelman, Faxon, Ford, Gowey, Gordon, Grosvenor, Haag, Hardy, Harrison, Haven, Heitmann, Herron, Hoagland, Hodge, Holloway, Holt, Huston, Inman, Kemp, Lewis, Light, Loomis, Mack, Mann, Marx, Martin, McKinley, Mesloh, Miller, Moorehead, Morris, Munson, Murlin, Myers of Ashland, Myers of Fayette, Neff, Nelson, Newell, Newton, Norton, Oren, Pattison, Pearson, Poe, Ramsay, Richards, Richmond, Robb, Sater, Sheppard, Sherrick, Stone, Thompson of Lucas, Thompson of Montgomery, Tryon, Van Meter, Varley, Walker, Watson, Weible, West and Williams—86.

So the resolution was adopted.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has concurred in the passage of H. B. No. 171, to amend section 78 of an act entitled an act to amend an act entitled an act for the assessment and taxation of property in this State, and for levying taxes thereon, according to its true value in money, passed April 5, 1859, as amended April 8, 1865.

Attest: S. K. DONAVIN, *Clerk.*

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has concurred in House amendments to Senate amendments to H. B. No. 57, for the further protection of certain birds and game, and to repeal a certain act therein named.

Attest: S. K. DONAVIN, *Clerk.*

The following bills were introduced, and read the first time:

H. B. No. 355—By Mr. Watson: To limit appointments to office in the punitive, reformatory and benevolent institutions of the State.

H. B. No. 356—By Mr. Munson: To amend section 8 of an act entitled

an act to provide for locating, establishing and constructing ditches and drains above, through, and below the Scioto marsh, in Hardin county, passed January 6, 1873.

On motion of Mr. Sheppard, the House adjourned.

Attest: THOMAS COUGHLIN, *Clerk.*

SATURDAY, APRIL 18, 1874—10 o'clock A.M.

The House met pursuant to adjournment.

Prayer by Rev. T. D. Garvin.

The Journal was read and approved.

Mr. McCoy submitted the following report:

The committee of conference, to whom was referred the matters in difference between the two house on Senate amendments to H. B. No. 175, find that they are unable to agree, and ask to be discharged from further consideration of the subject.

HENRY A. SHEPHERD,	MILT. MCCOY,
J. K. RUKENBROD,	W. P. HOWLAND,
GEO. W. ANDREWS,	R. C. MCCLOUD,
Senate Committee.	*House Commitee.*

Said report was agreed to, and the committee discharged.

The following bills were read the second time:

S. B. No. 148: To amend section 1 of an act entitled an act to fix the rates of toll on turnpike and plank-road companies, passed March 16, 1865.

Mr. Thompson of Montgomery moved to dispense with the constitutional rule, and that the bill be read the third time this afternoon.

On which motion the yeas and nays were demanded, ordered, and resulted—yeas 21, nays 34, as follows:

Those who voted in the affirmative were—

Messrs. Baker of Perry, Beach, Bell, Boyce, Cole, Conklin, Eshelman, Holt, Kemp, McCoy, McKinley, Miller, Murlin, Myers of Ashland, Sherrick, Thompson of Montgomery, Vincent, Walker, Weible, West and White—21.

Those who voted in the negative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Baker of Coshocton, Baker of Fairfield, Barnett, Barrett, Beatty, Blake, Case Cooley, Conkright, Eidson, Grosvenor, Haag, Hardy, Harrison, Herron, Holloway, Huston, Loomis, Mann, Marx, Martin, McLain, Morris, Munson, Myers of Fayette, Neff, Nelson, Oren, Poe, Ramsey, Tryon and Varley—34.

So the motion was disagreed to.

On motion of Mr. Grosvenor, said bill was then referred to the committee on Turnpikes.

S. B. No. 133, supplemental to an act entitled an act for the inspection of gas meters, the protection of gas consumers, and the protection and regulation of gas companies, passed April 6, 1866, was read the second time.

Mr. Grosvenor moved to refer said bill to the committee on Judiciary.

Which motion was withdrawn.

Mr. McCoy moved to refer said bill to the committee on Municipal Corporations.

Which was disagreed to.

Mr. Boyce then moved to refer said bill to the committee on Corporations other Municipal.

Which was agreed to; and the bill so referred.

S. B. No. 94: To define and establish the practice in trials for the contesting of wills.

Referred to the committee on the Judiciary.

H. B. No. 229, supplemental to the municipal code, was read the third time.

Mr. West moved to postpone the further consideration of said bill until the first Wednesday in December next.

Which was agreed to.

On motion of Mr. Boyce, the third reading of H. B. No. 322 was postponed until December next.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate insists on its amendments to H. B. No. 175, making appropriations for the fiscal year 1874 and the first quarter of the fiscal year 1875, and requests a third committee of conference thereon.

The President has appointed Messrs. Sheridan, Hathaway and Paul such committee on the part of the Senate.

Attest: S. K. DONAVIN, *Clerk.*

The request of the Senate was acceded to, and Messrs. Lewis, Grosvenor, and Baker of Perry were appointed such committee on the part of the House.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has adopted the following joint resolution, in which the concurrence of the House of Representatives is requested:

S. J. R. No. 48—By Mr. Knox: Authorizing the Secretary of State to distribute certain reports.

Attest: S. K. DONAVIN, *Clerk.*

The question being on the adoption of the resolution, the yeas and nays were ordered, and resulted—yeas 68, nays 3, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Beatty, Bell, Blake, Brunner, Case, Chapman of Cuyahoga, Chapman of Meigs, Cole, Cooley, Conkright, Duncan; Eidson, Eshelman, Faxon, Gowey, Grosvenor, Haag, Hardy, Harrison, Hatfield, Herron, Hill, Holt, Howland, Huston, Inman, Kemp, Lewis, Loomis, Mack, Mann, Martin, McCloud, McCoy, McKinley, McLain, Mesloh, Moorehead, Morris, Munson, Myers of Ashland, Myers of Fayette, Neff, Nelson, Newell, Oren, Pattison, Pearson, Ramsay, Richards, Richmond, Robb, Sherrick, Stone, Thompson of Lucas, Van Meter, Vincent, Walker, Weible, West and Williams—68.

Messrs. Holloway, Miller and Tryon voted in the negative.

So the resolution was adopted.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has concurred in the passage of H. B. No. 202, to amend sections 306, 307, 318 and 325 of an act entitled an act for the organization and government of municipal corporations, passed May 7, 1869, with the following amendment, in which the concurrence of the House of Representatives is requested:

In lines one, two and three of section 318, strike out the words "in cities of the first class having a population exceeding two hundred thousand."

Attest: S. K. DONAVIN, *Clerk.*

The question being on agreeing to the Senate amendment to the bill, the yeas and nays were ordered, and resulted—yeas 71, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Baskin, Beach, Blake, Boyce, Brunner, Carnahan, Chapman of Cuyahoga, Chapman of Meigs, Cole, Coler, Cooley, Conkright, Duncan, Eidson, Eshelman, Faxon, Ford, Geghan, Gowey, Green, Grosvenor, Haag, Hardy, Harrison, Hatfield, Herron, Hill, Hoagland, Hodge, Holloway, Holt, Huston, Inman, Lewis, Loomis, Mack, Mann, Martin, McCloud, McCoy, McKinley, Mesloh, Miller, Morris, Munson, Myers of Ashland, Myers of Fayette, Nelson, Newell, Norton, Oren, Pattison, Ramsay, Richards, Richmond, Robb, Sater, Stone, Thompson of Lucas, Van Meter, Varley, Vincent, Weible, West, White and Williams—71.

So the amendments were agreed to.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has indefinitely postponed H. B. No. 279, to authorize the Board of Public Works to construct a culvert across the National road, in Deercreek township, Madison county, Ohio.

Attest: S. K. DONAVIN, *Clerk.*

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has concurred in the passage of H. B. No. 348, to enable certain trustees of the Church of Christ, at Nelsonville, Athens county, Ohio, to convey certain real estate.

Attest: S. K. DONAVIN, *Clerk.*

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has refused to concur in the passage of H. B. No. 309, to amend an act entitled an act supplementary to an act entitled an act to provide for the organization and government of municipal corporations, passed May 7, 1869, passed April 28, 1873.

Attest: S. K. DONAVIN, *Clerk.*

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has passed the following bill, in which the concurrence of the House of Representatives is requested:

S. B. No. 151—By Mr. Burton: To amend an act entitled an act to regulate the practice of pharmacy in certain cities of the first class, and for other purposes, passed May 5, 1873. (O. L., pp. 287, 288.)

And has indefinitely postponed H. J. R. No. 35, relative to construction of a culvert on the National road, near Columbus.

Attest: S. K. DONAVIN, *Clerk.*

Said bill was read the first time.

S. B. No. 169, to revive section 17 of the act entitled an act to regulate and govern the Ohio Penitentiary, passed April 1, 1869, was read the third time.

Mr. Beach demanded a call of the House, and 78 members answered to their names.

The absentees were Messrs. Archer, Bay, Brooke, Brunner, Carnahan, Coler, Gordon, Haag, Haven, Johnson, Kemp, Marx, Miller, Murlin, Newton, Norton, Parker, Ray, Richards, Scott, Walker and West.

The Sergeant-at-Arms was dispatched for absentees.

Messrs. Morris, Neff and Huston appeared within the bar of the House, and answered to the call.

Mr. Loomis moved that all further proceedings under the call be dispensed with.

On which motion the yeas and nays were demanded, ordered, and resulted—yeas 27, nays 43, as follows:

Those who voted in the affirmative were—

Messrs. Barrett, Beatty, Blake, Chapman of Cuyahoga, Chapman of Meigs, Conkright, Duncan, Gowey, Grosvenor, Herron, Holloway, Holt, Howland, Loomis, Mack, Mann, Martin, Munson, Neff, Oren, Ramsay, Richards, Stone, Thompson of Lucas, Tryon, Vincent and Williams—27.

Those who voted in the negative were—

Messrs. Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Baskin, Beach, Bell, Boyce, Case, Cole, Cooley, Geghan, Green, Hardy, Hatfield, Hill, Hoagland, Huston, Inman, Kemp, Lewis, McCloud, McCoy, McKinley, Moorehead, Morris, Myers of Ashland, Nelson, Newell, Norton, Pearson, Poe, Robb, Sater, Sheppard, Sherrick, Thompson of Montgomery, Van Meter, Walker, Watson, Weible, West and White—43.

So the House refused to dispense with further proceedings under the call.

Mr. Heitmann appeared within the bar of the House, and answered to the call.

On motion of Mr. Beach, further proceedings under the call were dispensed with.

The question then being "Shall S. B. No. 169 pass?" the yeas and nays were ordered, and resulted—yeas 77, nays 1, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Baskin, Beach, Bell, Blake, Boyce, Brunner, Case, Chapman of Cuyahoga, Chapman of Meigs, Cole, Cooley, Conklin, Conkright, Duncan, Eidson, Eshelman, Geghan, Green, Grosvenor, Haag, Hardy, Hatfield, Heitmann, Herron, Hill, Hoagland, Hodge, Holloway, Huston, Inman, Kemp, Lewis, Light, Mann, Martin, McCloud, McCoy, McKinley, Mesloh, Miller, Moorehead, Morris, Myers of Ashland, Myers of Fayette, Neff, Nelson, Newell, Norton, Pattison, Pearson, Poe, Ramsay, Richards, Richmond, Robb, Sater, Sheppard, Sherrick, Stone, Thompson of Lucas, Thompson of Montgomery, Tryon, Van Meter, Varley, Vincent, Walker, Watson, Weible, West, White and Williams—77.

Mr. Howland voted in the negative.

So the bill passed. The title was agreed to.

The following bills were introduced and read the first time:

H. B. No. 357—By Mr. Beatty: To further provide against the evils resulting from the sale of intoxicating liquors in the State of Ohio.

H. B. No. 358—By Mr. Blake: To amend an act entitled an act to establish a uniform standard of weights and measures, passed April 5, 1857, as amended by an act to amend an act entitled an act to establish a uniform standard of weights and measures, passed March 21, 1863, passed February 21, 1873.

Mr. Pattison submitted the following report:

The joint committee on Enrollment have examined, and found correctly enrolled, the following bills:

H. B. No. 171: To amend section 78 of an act entitled an act to amend an act entitled an act for the assessment and taxation of property in this State, and for levying taxes thereon, according to its true value in money, passed April 5, 1859, as amended April 8 1865.

H. B. No. 67: To more effectively provide for locating, establishing and constructing ditches, drains and water-courses in townships, and to repeal certain acts therein named.

J. M. PATTISON, M. C. LAWRENCE,
O. B. CHAPMAN, J. C. FISHER,
HENRY HARDY, L. A. BRUNNER.
S. KNOX,

The Speaker, in the presence of the House, signed said bills.

Mr. Beatty moved a reconsideration of the vote by which S. B. No. 90 was passed.

On which motion the yeas and nays were demanded, ordered, and resulted—yeas 56, nays 17, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Baker of Fairfield, Baker of Perry, Barnett, Baskin, Beach, Beatty, Bell, Blake, Brunner, Case, Cole, Conklin, Conkright, Duncan, Eidson, Eshelman, Geghan, Gowey, Hardy, Harrison, Hatfield, Herron, Hill, Hoagland, Holloway, Howland, Inman, Loomis, Mack, Mann, McCloud, McCoy, McKinley, Miller, Munson, Myers of Fayette, Nelson, Norton, Oren, Poe, Ramsay, Richards, Richmond, Sherrick, Stone, Thompson of Montgomery, Tryon, Van Meter, Varley, Vincent, Watson, Weible, West and White—56.

Those who voted in the negative were—

Messrs. Baker of Coshocton, Chapman of Cuyahoga, Chapman of Meigs, Cooley, Faxon, Ford, Grosvenor, Haag, Hodge, Holt, Huston, Mesloh, Morris, Sater, Sheppard, Thompson of Lucas, and Walker—17.

So the motion was agreed to.

On motion of Mr. McCoy, a message was ordered to be sent to the Senate requesting the return of said bill.

Mr. Tryon submitted the following report:

The committee on Federal Relations, to whom was referred H. J. R. No. 16, having had the same under consideration, report it back without recommendation.

H. G. TRYON, JAS. S. GORDON,
THOS. J. MCLAIN, JR. O. J. HODGE.

On motion of Mr. Armstrong of Belmont, the resolution was laid on the table.

Mr. McLain submitted the following report:

The committee on Federal Relations, to whom was referred S. B. No. 123, having had the same under consideration, report it back, and recommend that it be passed.

JAS. S. GORDON, H. G. TRYON,
T. J. MCLAIN, JR., ALLEN J. BEACH.

Said bill was then ordered to be read the third time Monday next.

Mr. Ramsay submitted the following report:

The committee on New Counties and County Affairs, to whom was referred S. B. No. 145, to authorize the trustees of Paint township, Fayette

county, Ohio, to divide said township so as to create two election precincts, having had the same under consideration, report it back without recommendation.

R. RAMSAY, HIRAM MURLIN,
S. A. WEST, E. M. WALKER.
SHELDEN NEWTON,

Said bill was ordered to be read the third time now.

The bill was then read; and the question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 56, nays 7, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Baker of Coshocton, Baker of Fairfield, Barrett, Baskin, Beach, Blake, Boyce, Chapman of Meigs, Cooley, Conkright, Duncan, Eidson, Eshelman, Faxon, Grosvenor, Haag, Hardy, Harrison, Herron, Holloway, Holt, Howland, Light, Loomis, Mann, Martin, McCloud, McCoy, McKinley, Miller, Morris, Munson, Myers of Ashland, Myers of Fayette, Neff, Oren, Pattison, Poe, Ramsay, Richards, Richmond, Robb, Stone, Thompson of Lucas, Thompson of Montgomery, Tryon, Van Meter, Varley, Vincent, Walker, Weible, White, Williams and Speaker—56.

Those who voted in the negative were—

Messrs. Case, Hoagland, Huston, Inman, Nelson, Watson and West—7.

So the bill passed. The title was agreed to.

Mr. Walker submitted the following report:

The committee on New Counties and County Affairs, to whom was referred H. B. No. 352, to amend section 1 of an act entitled an act providing for the election of county auditors, and prescribing their duties, passed April 18, 1870, having had the same under consideration, report it back, and recommend its indefinite postponement.

E. M. WALKER, SHELDEN NEWTON,
R. RAMSAY, HIRAM MURLIN.

On motion of Mr. McKinley, further consideration of the bill was postponed until December next.

Mr. Miller submitted the following report:

The committee on Municipal Corporations, to whom was referred S. B. No. 92, limiting the rates of taxation in municipal corporations, having had the same under consideration, report it back, and recommend that it be indefinitely postponed.

E. W. MILLER, GUIDO MARX,
WM. BELL, JR., MILT. MCCOY.
HIRAM MURLIN,

On motion of Mr. Boyce, further consideration of the bill was postponed until December next.

Mr. Miller submitted the following report:

The committee on Municipal Corporations, to whom was referred S. B. No. 110, to amend an act entitled an act to provide for the organization and government of municipal corporations, passed May 7, 1869, having had the same under consideration, report it back, with the following amendments, and recommend that, as amended, it be passed:

Line 5, section 1, strike out the word "county," and insert "council."

Line 12, same section, after the word "him," insert "except such proceeding be for perjury."

E. W. MILLER, GUIDO MARX,
O. J. HODGE, G. H. EIDSON.
WM. BELL, JR.,

The amendments were agreed to; and said bill was ordered to be engrossed at the Clerk's desk, and read the third time now.

The bill was then read; and the question being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 61, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Baker of Coshocton, Beach, Beatty, Bell, Blake, Boyce, Case, Chapman of Cuyahoga, Chapman of Meigs, Cole, Conklin, Conkright, Eidson, Eshelman, Faxon, Geghan, Grosvenor, Haag, Hardy, Harrison, Herron, Hill, Hodge, Holloway, Holt, Howland, Huston, Inman, Light, Loomis, Mack, Mann, Martin, McCloud, McCoy, McKinley, Mesloh, Miller, Moorehead, Munson, Myers of Fayette, Neff, Nelson, Oren, Poe, Ramsay, Richmond, Robb, Sater, Sherrick, Stone, Thompson of Lucas, Thompson of Montgomery, Varley, Vincent, Watson, Weible, West and Williams—61.

So the bill passed. The title was agreed to.

Mr. Huston submitted the following report:

The committee on Corporations other than Municipal, to whom was referred H. B. No. 340, to repeal an act entitled an act to incorporate the Union Bridge Company, passed February 11, 1832, having had the same under consideration, report it back, and recommend its indefinite postponement.

PAUL A. J. HUSTON, J. H. FAXON,
J. M. POE, W. P. HOWLAND.

The report was agreed to, and the bill indefinitely postponed.

Mr. Boyce submitted the following report:

The committee on Finance, to whom was referred H. B. No. 290, to provide for the payment of a town hall and place for holding elections in the township of Polk, Crawford county, Ohio, having had the same under cconsideration, report it back without recommendation.

E. B. ESHELMAN, J. M. POE,
W. P. HOWLAND, GEO. H. FORD,
GEO. W. BOYCE, E. M. GREEN,
R. HILL, J. SCOTT.

On motion of Mr. Boyce, said bill was laid on the table.

Mr. Huston submitted the following report:

The committee on Corporations other than Municipal, to whom was referred S. B. No. 99, to authorize the incorporation of companies for the sale of goods and merchandise, having had the same under consideration, report it back, and recommend its passage.

PAUL A. J. HUSTON, WM. VAN METER,
W. P. HOWLAND, J. H. FAXON.
J. M. POE,

Said bill was then ordered to be read the third time now, and was so read.

The question then being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 66, nays 1, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Baker of Coshocton, Barrett, Beatty, Blake, Boyce, Case, Chapman of Cuyahoga, Chapman of Meigs, Cole, Cooley, Conklin, Conkright, Duncan, Eidson, Eshelman, Faxon, Green, Hardy, Harrison, Hatfield, Herron, Hill, Hoagland, Hodge, Holloway, Holt, Howland, Huston, Inman, Lewis, Light, Loomis, Mack, Mann, Martin, McCloud, McCoy, McKinley, Mesloh, Miller, Moorehead, Morris, Munson, Myers of Ashland, Neff, Nelson, Newell, Norton, Oren, Pearson, Poe, Ramsay, Richards, Richmond, Robb, Sater, Thompson of Lucas, Thompson of Montgomery, Tryon, Van Meter, Varley, Walker, Weible and Williams—66.

Mr. Haag voted in the negative.

So the bill passed. The title was agreed to.

Mr. Grosvenor submitted the following report:

The committee on Judiciary, to whom was referred S. B. No. 167, to amend section 522 of the code of civil procedure, having had the same under consideration, report it back, with the following amendment, and recommend its passage:

At the end of section 1 add, "The provisions of this act shall not apply to judgments recovered in actions for libel, slander, malicious prosecution, false imprisonment, or assault and battery."

C. H. GROSVENOR, T. M. ROBB,
W. P. HOWLAND, J. M. HAAG.
J. H. HEITMANN,

The amendment was agreed to and ordered to be engrossed, and the bill read the third time this afternoon.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has adopted the following joint resolutions, in which the concurrence of the House of Representatives is requested:

S. J. R. No. 49—By Mr. Potter: Directing the Secretary of State to take possession of certain plates used in the publication of geological reports.

S. J. R. No. 50—By Mr. Reid: Requiring the directors, trustees and commissioners of State institutions to make detailed quarterly reports.

Attest: S. K. DONAVIN, *Clerk.*

The question being on the adoption of S. J. R. No. 49, the yeas and nays were ordered, and resulted—yeas 74, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Baker of Coshocton, Baker of Fairfield, Barnett, Barrett, Baskin, Beach, Beatty, Blake, Brunner, Case, Chapman of Cuyahoga, Chapman of Meigs, Cole, Cooley, Conklin, Conkright, Duncan, Eidson, Eshelman, Faxon, Green, Grosvenor, Haag, Hardy, Harrison, Heitmann, Herron, Hill, Hoagland, Hodge, Holloway, Holt, Howland, Inman, Lewis, Light, Loomis, Mann, Martin, McCloud, McKinley, Mesloh, Moorehead, Morris, Munson, Myers of Ashland, Myers of Fayette, Neff, Nelson, Norton, Oren, Pearson, Poe, Ramsay, Richards, Richmond, Robb, Sater, Sheppard, Sherrick, Thompson of Lucas, Thompson of Montgomery, Tryon, Van Meter, Varley, Vincent, Walker, Watson, Weible, White, Williams and Speaker—74.

So the resolution was agreed to.

Mr. Grosvenor submitted the following report:

The committee on Judiciary, to whom was referred S. B. No. 33, to

amend and repeal certain acts therein named, having had the same under consideration, report it back, and recommend that it be postponed until the second Wednesday in January, 1875.

C. H. GROSVENOR, J. H. HEITMANN,
J. M. HAAG, T. M. ROBB,
WM. W. BEATTY, C. C. ARCHER.

The recommendation of the committee was agreed to.

On motion of Mr. Baker of Fairfield, the House took a recess.

HALF-PAST TWO O'CLOCK P.M.

S. J. R. No. 50, on motion of Mr. Brunner, was referred to the committee on Insane Asylums.

Mr. McCloud submitted the following report:

The committee on Military Affairs, to whom was referred H. B. No. 350, amendatory and supplemental of an act entitled an act to organize and regulate an independent militia, passed April 18, 1870, having had the same under consideration, report it back, with the following amendment, and recommend that it be engrossed and passed:

Strike out all of section 8.

R. C. MCCLOUD, WM. M. MCKINLEY,
JOHN L. MYERS, JOHN J. GEGHAN,
JAMES WATSON, JOHN M. COOLEY.

The amendment was agreed to.

Said bill was then ordered to be engrossed, and read the third time on the second Wednesday of December next.

Mr. Sheppard presented the memorial of the Woman's Temperance League of Zanesville, Muskingum county, composed of seven hundred and fifty women of Zanesville, against the passage of H. B. No. 330.

Which was referred to the committee on Temperance.

Mr. Baskin submitted the following report:

The committee on Agriculture, to whom was referred H. B. No. 345, to provide for the reclamation and sale of certain lands granted to the State of Ohio by the United States and by individuals, and for the survey and sale of other lands in said State which may have been or may hereafter be granted to said State in order to provide for the better support of the Ohio Agricultural and Mechanical College, having had the same under consideration, report it back, and recommend its passage.

MILT. MCCOY, J. F. THOMPSON,
THOS. H. BASKIN, D. C. RICHMOND.
T. E. SATER,

Said bill was then ordered to be engrossed, and the third reading postponed until December next.

Mr. Weible submitted the following report:

The committee on Ditches, Drains and Water-courses, to whom was referred H. B. No. 337, to authorize the commissioners of Hamilton county, Ohio, to make a cut for the purpose of straightening a bend in Mill creek, having had the same under consideration, report it back, and recommend its engrossment and passage.

H. WEIBLE, W. H. CONKRIGHT,
N. HATFIELD, D. C. RICHMOND.
G. W. LIGHT,

Said bill was then ordered to be engrossed, and read the third time on the first Wednesday of December next.

Mr. Hill submitted the following report:

The committee on Finance, to whom was referred H. B. No. 1, to prohibit payment of per diem to members and officers of the General Assembly while absent, and to repeal an act entitled an act supplemental to the act entitled an act to fix the compensation of members and officers of the General Assembly, passed April 2, 1866, passed January 20, 1869, having had the same under consideration, report it back, and recommend that its further consideration be postponed until the first Tuesday in December.

E. B. ESHELMAN, R. HILL,
W. P. HOWLAND, J. M. POE,
GEO. W. BOYCE, GEO. H. FORD.

Said report was agreed to, and further consideration of said bill postponed until December next.

Mr. Conklin submitted the following report:

The committee on Claims, to whom was referred S. J. R. No. 17, relative to the relief of F. F. and W. A. Jones, contractors, having had the same under consideration, report it back without recommendation.

WM. T. CONKLIN, GEO. S. BAKER,
F. R. LOOMIS, O. B CHAPMAN,
J. W. NELSON, B. NEFF.

On motion of Mr. Conklin, the resolution was informally passed.

Mr. Howland submitted the following report:

The committee on Corporations other than Municipal, to whom was referred H. B. No. 29, supplementary to an act entitled an act to incorporate the State Bank of Ohio and other banking companies, and the act to amend the act entitled an act to authorize free banking, having had the same under consideration, report it back without recommendation.

W. P. HOWLAND, J. H. FAXON,
J. M. POE, WM. VAN METER.
PAUL A. J. HUSTON,

On motion of Mr. Howland, further consideration of the bill was postponed until December next.

Mr. Howland submitted the following report:

The committee on Judiciary, to whom was referred S. B. No. 156, to change the time for holding the summer term of the court of common pleas for the year 1874 for the county of Richland, having had the same under consideration, report it back, and recommend its passage.

W. P. HOWLAND, J. SCOTT,
T. M. ROBB, C. H. GROSVENOR.
J. M. HAAG,

Said bill was then ordered to be read the third time.

The question then being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 55, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Baker of Coshocton, Baskin, Boyce, Brunner, Case, Chapman of Cuyahoga, Chapman of Meigs, Cole, Cooley, Conkright, Eidson, Eshelman, Faxon, Geghan, Grosvenor, Haag, Harrison, Herron, Hill, Hoagland, Hodge, Holloway, Holt, Howland, Huston, Inman, Light, Loomis, Martin, McCoy, McKinley, Mesloh, Morris, Munson, Myers of Ashland, Myers of Fayette, Neff, Nelson, Pattison, Pearson, Ramsay, Richards, Robb, Sater, Sherrick, Thompson of Lucas, Thompson of Montgomery, Tryon, Van Meter, Watson, Weible, West and Williams—55.

So the bill passed. The title was agreed to.

Mr. Weible submitted the following report:

The committee on Ditches, Drains and Water-courses, to whom was referred H. B. No. 254, supplementary to an act to provide for locating, establishing and constructing ditches, drains and water-courses in townships, passed May 6, 1868, having had the same under consideration, report it back, with the following amendments, and recommend its engrossment and passage:

In section 1, line three, at the end of the word "act," add the following: "and shall suffer the same to remain obstructed for ten days after written notice by the party aggrieved."

In section 1, line five, at the end of the word "of," and before the word "twenty," add the following: "not less than five nor more than."

H. Weible, W. H. Conkright,
N. Hatfield, D. C. Richmond.
G. W. Light,

The amendments were agreed to.

Said bill was then ordered to be engrossed.

Mr. McCoy submitted the following report:

The select committee of three to whom was referred the conference committee's report on S. B. No. 4, having had the same under consideration, report it back, with the recommendation that the committee be discharged from the further consideration thereof.

Milt. McCoy,
Allen J. Beach.

The question being on agreeing to the report of the committee, the yeas and nays were ordered, and resulted—yeas 55, nays 8, as follows:

Those who voted in the affirmative were—

Messrs. Baker of Coshocton, Baker of Fairfield, Barnett, Barrett, Baskin, Bell, Boyce, Case, Chapman of Cuyahoga, Chapman of Meigs, Cole, Cooley, Conkright, Eshelman, Faxon, Geghan, Hardy, Heitmann, Hoagland, Hodge, Holloway, Howland, Huston, Inman, Light, Loomis, Martin, McCoy, Mesloh, Miller, Munson, Myers of Ashland, Myers of Fayette, Neff, Nelson, Norton, Oren, Pearson, Poe, Ramsay, Richards, Robb, Sater, Sheppard, Stone, Thompson of Lucas, Thompson of Montgomery, Tryon, Van Meter, Vincent, Walker, Watson, Weible, West and Williams—55.

Those who voted in the negative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Grosvenor, Harrison, Herron, Hill, Holt and White—8.

So the report was agreed to, and the committee discharged.

Mr. Neff asked and obtained leave to add the following additional instructions to the select committee of one to whom was referred H. B. No. 304:

Strike out all after the enacting clause to line five of section 1, and insert the following: "That sections 1 and 2 of an act entitled an act to amend an act entitled an act regulating the Commercial Hospital of Cincinnati, passed February 29, 1864, be amended so as read as follows."

Amend by striking out in line seven of section 1 the words "together with all other receipts from pay patients or otherwise."

In line three of section 2 strike out the words "of all classes."

Said bill was then ordered to be re-engrossed.

Mr. Munson submitted the following report:

The select committee of one to whom was referred amended H. B. No. 21, with instructions to amend, reports the same back, amended as instructed.

A. W. Munson.

On motion of Mr. Munson, the bill was laid on the table.

Mr. Howland moved to suspend the rules, and that he be allowed to make a report from a standing committee.

On which motion the yeas and nays were demanded, ordered, and resulted—yeas 60, nays 13, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Baker of Coshocton, Baker of Fairfield, Barnett, Baskin, Beatty, Boyce, Case, Chapman of Meigs, Cooley, Conklin, Conkright, Eshelman, Faxon, Ford, Gowey, Gordon, Green Harrison, Herron, Hoagland, Holloway, Holt, Howland, Huston, Inman, Light, Loomis, Martin, McCoy, McKinley, McLain, Munson, Myers of Ashland, Myers of Fayette, Neff, Nelson, Newell, Norton, Oren, Pattison, Poe, Ramsay, Richards, Robb, Sater, Sherrick, Stone, Thompson of Montgomery, Tryon, Van Meter, Varley, Vincent, Walker, Watson, Weible, West, White and Williams—60.

Those who voted in the negative were—

Messrs. Bell, Brunner, Cole, Eidson, Geghan, Haag, Hardy, Heitmann, Hill, Mesloh, Miller, Pearson, and Thompson of Lucas—13.

So the motion was agreed to.

Mr. Howland then submitted the following report:

The committee on Corporations other than Municipal, to whom was referred S. B. No. 133, supplemental to an act entitled an act for the inspection of gas meters, the protection of gas consumers, and the protection and regulation of gas companies, passed April 6, 1866, having had the same under consideration, report it back, and recommend its passage.

JOSEPH M. POE, WM. VAN METER,
P. A. J. HUSTON, W. P. HOWLAND.
J. H. FAXON.

Mr. Haag moved that the bill be ordered to a third reading on the second Tuesday of December next.

Which was disagreed to.

Mr. Pattison moved that the bill be ordered to a third reading on Monday next.

On which motion the yeas and nays were demanded, ordered, and resulted—yeas 49, nays 27, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Belmont, Barrett, Baskin, Beatty, Boyce, Case, Chapman of Cuyahoga, Chapman of Meigs, Conklin, Conkright, Eshelman, Faxon, Gowey, Gordon, Green, Harrison, Herron, Holloway, Holt, Howland, Huston, Light, Loomis, Mack, Martin, McCoy, Munson, Myers of Ashland, Myers of Fayette, Neff, Nelson, Newell, Pattison, Poe, Ramsay, Richards, Sater, Sheppard, Sherrick, Stone, Thompson of Montgomery, Tryon, Van Meter, Vincent, Walker, Watson, Weible, West and Williams—49.

Those who voted in the negative were—

Messrs. Armstrong of Guernsey, Baker of Coshocton, Baker of Fairfield, Barnett, Beach, Bell, Brunner, Cole, Eidson, Geghan, Haag, Hardy, Heitmann, Hill, Hoagland, Inman, Mann, McKinley, Mesloh, Miller, Norton, Pearson, Richmond, Robb, Thompson of Lucas, Varley and White—27.

So the motion was agreed to, and the bill ordered to a third reading Monday next.

Mr. Gordon presented the memorial of Wm. Coffin and other citizens of Hamilton county, against the Fisher bill.

Which was referred to the committee on Corporations other than Municipal.

Mr. Gordon presented the memorial of John Limpkinson and five other self-constituted reformers and generally idiotic citizens of Great Britain and Hamilton county.

Which was read at the Clerk's desk.

Mr. Pattison submitted the following report:

The joint committee on Enrollment have examined, and found correctly enrolled, the following bill:

H. B. No. 285: To provide for the management and better regulation of hospitals for the insane.

J. M. PATTISON, J. C. FISHER,
L. A. BRUNNER, M. C. LAWRENCE,
HENRY HARDY, S. KNOX,
H. M. CHAPMAN, A. M. BURNS.
B. NEFF,

The Speaker, in the presence of the House, signed said bill.

On motion of Mr. Baker of Coshocton, the vote by which S. B. No. 132 was lost was reconsidered.

Mr. McCoy moved that the select committee to whom was referred H. B. No. 330 be discharged from its further consideration.

Mr. Bell demanded a call of the House, and 75 members answered to their names.

The Sergeant-at-Arms was dispatched for absentees.

Mr. Miller moved that all further proceedings under the call be dispensed with.

On which motion the yeas and nays were demanded, ordered, and resulted—yeas 21, nays 40, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Belmont, Baker of Coshocton, Chapman of Meigs, Cooley, Faxon, Ford, Harrison, Hodge, Holloway, Huston, Loomis, Mack, Martin, Miller, Munson, Myers of Fayette, Neff, Sherrick, Stone, Vincent and Walker—21.

Those who voted in the negative were—

Messrs. Baker of Fairfield, Baker of Perry, Baskin, Beach, Boyce, Brunner, Case, Chapman of Cuyahoga, Cole, Conklin, Conkright, Geghan, Green, Haag, Hatfield, Heitmann, Herron, Hill, Hoagland, Inman, Light, Mann, McCoy, McKinley, Meslob, Moorehead, Nelson, Newell, Norton, Pattison, Pearson, Poe, Ramsay, Richmond, Sheppard, Varley, Weible, West, White and Williams—40.

So the House refused to dispense with further proceedings under the call.

Messrs. Barrett, Morris and Gowey appeared within the bar of the House, and answered to the call.

Mr. Mann moved that all further proceedings under the call be dispensed with.

On which motion the yeas and nays were demanded, ordered, and resulted—yeas 10, nays 44, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Guernsey, Baker of Coshocton, Ford, Harrison, Mann, Neff, Oren, Thompson of Montgomery, Varley and Vincent—10.

Those who voted in the negative were—

Messrs. Baker of Fairfield, Baker of Perry, Bell, Boyce, Brunner, Case, Chapman of Cuyahoga, Chapman of Meigs, Cole, Eidson, Eshelman,

Faxon, Gordon, Green, Hatfield, Heitmann, Herron, Hoagland, Huston, Inman, Lewis, Loomis, Mack, McKinley, Mesloh, Miller, Moorehead, Morris, Myers of Fayette, Nelson, Newell, Norton, Pattison, Pearson, Richards, Richmond, Sater, Sheppard, Walker, Watson, Weible, White and Williams—44.

So the House refused to dispense with further proceedings under the call.

Mr. Murlin appeared within the bar of the House, and answered to the call.

Mr. Norton moved that all further proceedings under the call be dispensed with.

On which motion the yeas and nays were demanded, ordered, and resulted—yeas 35, nays 37, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Guernsey, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Baskin, Beach, Bell, Case, Cole, Conklin, Green, Grosvenor, Haag, Hatfield, Heitmann, Herron, Hill, Hoagland, Huston, Inman, Light, McKinley, Mesloh, Murlin, Myers of Ashland, Myers of Fayette, Nelson, Newell, Norton, Pearson, Richmond, Varley, Walker, Weible and White—35.

Those who voted in the negative were—

Messrs. Armstrong of Belmont, Barnett, Barrett, Boyce, Brunner, Chapman of Cuyahoga, Chapman of Meigs, Cooley, Faxon, Gowey, Gordon, Harrison, Holt, Howland, Lewis, Loomis, Mack, Mann, Martin, Miller, Moorehead, Morris, Munson, Oren, Pattison, Poe, Ramsay, Robb, Sheppard, Stone, Thompson of Lucas, Thompson of Montgomery, Van Meter, Vincent, Watson, West and Williams—37.

So the House refused to dispense with further proceedings under the call.

Mr. Grosvenor moved that the House do now adjourn.

On which motion the yeas and nays were demanded, ordered, and resulted—yeas 14, nays 56, as follows:

Those who voted in the affirmative were—

Messrs. Baker of Coshocton, Barrett, Beatty, Chapman of Cuyahoga, Ford, Gowey, Grosvenor, Loomis, Mack, Martin, Morris, Myers of Fayette, Pearson and Stone—14.

Those who voted in the negative were—

Messrs. Armstrong of Guernsey, Baker of Fairfield, Baker of Perry, Baskin, Beach, Bell, Boyce, Case, Cole, Cooley, Conklin, Conkright, Eidson, Eshelman, Faxon, Geghan, Gordon, Green, Hardy, Heitmann, Hill, Hoagland, Holloway, Holt, Huston, Inman, Light, McCoy, McKinley, Mesloh, Miller, Moorehead, Munson, Murlin, Myers of Ashland, Nelson, Newell, Norton, Oren, Pattison, Poe, Ramsay, Robb, Sater, Sheppard, Sherrick, Thompson of Montgomery, Van Meter, Varley, Vincent, Walker, Watson, Weible, West, White and Williams—56.

So the House refused to adjourn.

On motion of Mr. Haag, all further proceedings under the call were dispensed with.

Mr. Lewis submitted the following report:

The committee of conference to whom was referred the matters in difference between the two houses on H. B. No. 175, report they are unable to agree, and ask to be discharged from the further consideration of the subject.

C. H. GROSVENOR,
E. R. P. BAKER,
E. C. LEWIS,
House Committee.

I. N. HATHAWAY,
W. SHERIDAN, JR.,
DANIEL PAUL,
Senate Committee.

Said report was agreed to, and the committee discharged.

On motion of Mr. Haag, the House took a recess until half-past seven o'clock P.M.

HALF-PAST SEVEN O'CLOCK P.M.

On motion of Mr. Grosvenor, the House insisted on its amendments to H. B. No. 175, and asked of the Senate a fourth committee of conference.

On motion of Mr. Baker of Perry, the House reconsidered the vote by which the second reading of H. B. No. 301 was indefinitely postponed, and, on his motion, was laid on the table until January next.

The Speaker appointed as the fourth committee of conference on H. B. No. 175, on the part of the House, Messrs. Case, Williams and Brunner.

On motion of Mr. McCoy, the committee of the Whole House was discharged from the further consideration of H. B. No. 203; and, on his motion, the further consideration of said bill was postponed until December next.

Mr. Pattison submitted the following report:

The joint committee on Enrollment have examined, and found correctly enrolled, the following bills and joint resolutions:

S. B. No. 124: To amend section 7 of an act entitled an act to amend an act entitled an act to amend section 7 of an act further to prescribe the duties of county commissioners, passed April 8, 1856, as amended February 26, 1857, passed May 7, 1869, as amended by an act passed March 13, 1872.

S. B. No. 146: To authorize the trustees of Manhattan township, Lucas county, Ohio, to borrow money.

S. B. No. 144: To authorize the board of education of the special school district of Mineral Ridge, Trumbull county, to borrow money and issue bonds therefor.

S. B. No. 115: To authorize the board of education of special school district number one, of Hicksville township, Defiance county, Ohio, to borrow money and issue bonds for purchasing site and building a schoolhouse in said special school district.

S. B. No. 140: To authorize the issuing of floating debt bonds in cities of the first class having a population of less than one hundred thousand.

S. B. No. 135: To authorize the trustees of Sharon township, Richland county, Ohio, to pay a balance on a certain promissory note out of the general revenue fund of said township.

S. B. No. 45: To amend section 44 of an act entitled an act for the assessment and taxation of property in this State, and for levying taxes thereon, according to its true value in money, as amended May 8, 1868.

S. B. No. 127: To amend section 6 of an act entitled an act to prevent cruelty to animals, passed April 24, 1871.

S. B. No. 48: For the protection of certain burial grounds.

S. J. R. No. 39: Directing the preparation of a calendar of unfinished business.

S. J. R. No. 38: Relating to the collection of damages by John Morgan's raid.

S. J. R. No. 42: Directing the printing of the report of the Agricultural College.

S. J. R. No. 45: Providing for the printing and distribution of the second volume of the final report of the Geological Corps of Ohio.

J. C. FISHER, L. A. BRUNNER,
S. KNOX, H. HARDY,
M. C. LAWRENCE, B. NEFF,
A. M. BURNS, O. B. CHAPMAN.
J. M. PATTISON,

The Speaker, in the presence of the House, signed said bills and joint resolutions.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has concurred in the passage of H. B. No. 137, to amend section 12 of an act entitled an act to establish the independent treasury of the State of Ohio, passed April 12, and took effect July 1, 1858, so as to make the duties of the judge of probate more definite and certain.

Attest: S. K. DONAVIN, *Clerk.*

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has concurred in the passage of the following bills:

H. B. No. 343: To change the time fixed for holding the second term of the court of common pleas for the year 1874 in the county of Auglaize.

H. B. No. 224: To amend section 1 of an act to protect the elections of voluntary political associations, and punish frauds therein, passed February 24, 1871.

H. B. No. 259: To create two election precincts in the township of Salem, Columbiana county.

H. B. No. 305: To amend section 34 of an act to regulate the election of State and county officers, passed May 3, 1832.

H. B. No. 183: Supplementary to an act entitled an act to protect the election of voluntary political associations, and to punish frauds therein, passed February 24, 1871.

Attest: S. K. DONAVIN, *Clerk.*

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has concurred in House amendments to S. B. No. 110, to amend an act entitled an act to provide for the organization and government of municipal corporations, passed May 7, 1869.

Attest: S. K. DONAVIN, *Clerk.*

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has refused to concur in the passage of the following bill:

H. B. No. 287: For the relief of Walter Crook.

Attest: S. K. DONAVIN, *Clerk.*

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has concurred in the passage of H. B. No. 14, to amend section 10 of an act supplementary to an act to provide for the organization and government of municipal corporations, passed February 10, 1870, with the following amendments, in which the concurrence of the House of Representatives is requested:

In line 7, section 10, strike out "March," and insert "July."

Attest: S. K. DONAVIN, *Clerk.*

The question being on agreeing to the Senate amendment to said bill, the yeas and nays were ordered, and resulted—yeas 77, nays 1, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Barrett, Bay, Beach, Boyce, Brunner, Case, Chapman of Meigs, Cole, Conklin, Conkright, Eidson, Eshelman, Faxon, Ford, Geghan, Gowey, Gordon, Green, Grosvenor,

Haag, Hardy, Harrison, Hatfield, Heitmann, Herron, Hill, Hoagland, Hodge, Holt, Howland, Huston, Inman, Lewis, Light, Mack, Martin, McCloud, McCoy, McKinley, McLain, Mesloh, Miller, Morris, Munson, Murlin, Myers of Ashland, Myers of Fayette, Neff, Nelson, Newell, Norton, Pattison, Pearson, Ray, Richards, Richmond, Robb, Sater, Sheppard, Stone, Thompson of Lucas, Thompson of Montgomery, Van Meter, Varley, Vincent, Walker, Watson, Weible, West, White and Williams—77.

Mr. Poe voted in the negative.

So the amendment was agreed to.

On motion of Mr. Grosvenor, S. B. No. 164 was taken from the table and read the third time.

The question then being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 70, nays 4, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Barrett, Baskin, Beach, Boyce, Case, Chapman of Cuyahoga, Chapman of Meigs, Cole, Conklin, Conkright, Eidson, Eshelman, Faxon, Geghan, Gowey, Green, Grosvenor, Haag, Hardy, Hatfield, Heitmann, Herron, Hill, Hodge, Holloway, Holt, Howland, Huston, Light, Loomis, Mack, Mann, Martin, McCloud, McCoy, McKinley, McLain, Mesloh, Miller, Moorehead, Morris, Munson, Murlin, Myers of Ashland, Myers of Fayette, Neff, Nelson, Oren, Pearson, Ray, Richards, Richmond, Robb, Sater, Stone, Thompson of Lucas, Thompson of Montgomery, Tryon, Van Meter, Varley, Vincent Watson, West and Williams—70.

Messrs. Gordon, Poe, Walker and White voted in the negative.

So the bill passed. The title was agreed to.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has concurred in the passage of H. J. R. No. 37, relative to printing copies of Agricultural report.

Attest: S. K. DONAVIN, *Clerk.*

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has indefinitely postponed H. J. R. No. 44, creating a joint select committee to investigate the public works of the State.

Attest: S. K. DONAVIN, *Clerk.*

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate accedes to the request of the House of Representatives for the return of S. B. No. 90, to amend sections 1 and 2 of an act entitled an act to amend an act entitled an act to regulate the standard per bushel of stone-coal and the measure of cord-wood, and to renumber section 3 and repeal sections one and 2, passed April 29, 1872.

Attest: S. K. DONAVIN, *Clerk.*

On motion of Mr. Hodge, further action on the bill was postponed until the second Wednesday of December next.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has concurred in House amendments to S. B. No. 74, prescribing the rate of State taxes, and to repeal an act therein named.

Attest: S. K. DONAVIN, *Clerk.*

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has concurred in House amendments to S. B. No. 129, to amend sections 1, 2, 5, 6 and 7 of an act entitled an act to reorganize the Institution for the Education of the Blind, and to repeal certain laws heretofore passed, passed and took effect April 6, 1866, and section 2, as amended March 10, 1873, with inclosed amendments, in which the concurrence of the House of Representatives is requested.

Attest: S. K. DONAVIN, *Clerk.*

Mr. Beach demanded a call of the House. Eighty-eight members answered to their names.

The absentees were Messrs. Archer, Armstrong of Belmont, Armstrong of Guernsey, Bay, Blake, Brooke, Carnahan, Coler, Duncan, Haven, Johnson, Kemp, Marx, Newton, Parker and Scott.

The Sergeant-at-Arms was dispatched for absentees.

On motion of Mr. Beach, all further proceedings under the call were dispensed with.

The question then being on agreeing to Senate amendments to the House amendments to S. B. No. 129, the yeas and nays were ordered, and resulted—yeas 54, nays 30, as follows:

Those who voted in the affirmative were—

Messrs. Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Baskin, Beach, Bell, Boyce, Brunner, Case, Cole, Conklin, Eidson, Eshelman, Geghan, Gordon, Green, Haag, Hardy, Hatfield, Heitmann, Hill, Hoagland, Huston, Inman, Lewis, Light, McCloud, McCoy, McKinley, Mesloh, Miller, Moorehead, Murlin, Myers of Ashland, Nelson, Newell, Norton, Pattison, Pearson, Poe, Robb, Sater, Sheppard, Sherrick, Thompson of Lucas, Thompson of Montgomery, Van Meter, Walker, Watson, Weible, West, White and Speaker—54.

Those who voted in the negative were—

Messrs. Armstrong of Belmont, Barrett, Beatty, Chapman of Cuyahoga, Chapman of Meigs, Cooley, Conkright, Ford, Gowey, Grosvenor, Harrison, Herron, Hodge, Holloway, Howland, Mack, Mann, Martin, McLain, Morris, Myers of Fayette, Neff, Oren, Ray, Richards, Richmond, Stone, Tryon, Varley and Williams—30.

So the amendments to the amendments were agreed to.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has concurred in the passage of H. B. No. 320, to regulate the Ohio Soldiers' and Sailors' Orphans' Home, located at Xenia, and to repeal certain acts therein named, with the following amendments, in which the concurrence of the House of Representatives is requested:

In line six, section 1, strike out the word "three," and insert the word "five."

Strike out all after the word "persons," in same line, and all in lines seven and eight to first word "one," in said line eight.

After last word "years," in line nine, insert "one for four years and one for five years."

In line eleven strike out the word "three," and insert the word "five."

Attest: S. K. DONAVIN, *Clerk.*

The question being on agreeing to the Senate amendments to said

bill, the yeas and nays were ordered, and resulted—yeas 53, nays 32, as follows:

Those who voted in the affirmative were—

Messrs. Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Baskin, Beach, Bell, Boyce, Brunner, Case, Cole, Conklin, Eshelman, Geghan, Gordon, Green, Haag, Hardy, Hatfield, Heitmann, Hill, Hoagland, Holt, Huston, Inman, Lewis, Light, McCloud, McCoy, McKinley, Mesloh, Miller, Moorehead, Murlin, Myers of Ashland, Nelson, Newell, Norton, Pattison, Pearson, Poe, Robb, Sater, Sheppard, Sherrick, Thompson of Montgomery, Van Meter, Walker, Watson, Weible, West, White and Speaker—53.

Those who voted in the negative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Barrett, Beatty, Chapman of Cuyahoga, Chapman of Meigs, Conkright, Eidson, Faxon, Ford, Gowey, Grosvenor, Harrison, Herron, Hodge, Holloway, Howland, Mack, Mann, Martin, McLain, Morris, Myers of Fayette, Neff, Oren, Ray, Richards, Richmond, Stone, Thompson of Lucas, Varley and Vincent—32.

So the amendments were agreed to.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has concurred in the passage of the following bills:

H. B. No. 353: To amend section 9 of the act entitled an act supplementary to an act entitled an act to provide for the creation and regulation of incorporated companies in the State of Ohio, passed May 1, 1852, passed April 15, 1867, as amended February 25, 1869.

H. B. No. 71: To amend section 6 of the act entitled an act for the inspection of certain articles therein named.

Attest: S. K. DONAVIN, *Clerk.*

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has concurred in the passage of H. B. No. 129, supplementary to an act entitled an act to provide for the creation and regulation of incorporated companies in the State of Ohio, passed May 1, 1852, with the inclosed amendments, in which the concurrence of the House of Representatives is requested.

Attest: S. K. DONAVIN, *Clerk.*

The question being on agreeing to the Senate amendments to said bill, the yeas and nays were ordered, and resulted—yeas 77, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Barrett, Baskin, Beatty, Bell, Boyce, Case, Chapman of Cuyahoga, Chapman of Meigs, Cole, Cooley, Conklin, Eidson, Eshelman, Faxon, Ford, Geghan, Gowey, Green, Grosvenor, Haag, Hardy, Harrison, Hatfield, Heitmann, Herron, Hoagland, Hodge, Howland, Huston, Inman, Lewis, Light, Loomis, Mack, Mann, Martin, McCloud, McCoy, McLain, Mesloh, Miller, Moorehead, Morris, Munson, Murlin, Myers of Ashland, Myers of Fayette, Nelson, Norton, Oren, Pattison, Pearson, Poe, Ramsay, Ray, Richmond, Robb, Sater, Sheppard, Stone, Thompson of Lucas, Thompson of Montgomery, Van Meter, Varley, Vincent, Walker, Watson, Weible, West, Williams and Speaker—77.

So the amendments were agreed to.

Mr. Pattison submitted the following report:

The joint committee on Enrollment have examined, and found correctly enrolled, the following bills:

H. B. No. 78: To authorize the trustees of Delaware township, Delaware county, to borrow money to assist in building a bridge.

H. B. No. 144: To amend section 4 of an act entitled an act to amend sections 1, 2, 4, 5, 6 and 11 of an act entitled an act to authorize county commissioners to construct roads on a petition of a majority of the resident land owners along and adjacent to the line of said road, and to repeal an act therein named, passed March 29, 1868.

H. B. No. 103: To amend section 338 of an act entitled an act to provide for the organization and government of municipal corporations, passed May 7, 1869.

H. B. No. 204: To amend section 16 of an act entitled an act to organiza and regulate an independent militia, passed April 18, 1870.

H. B. No. 284: To amend an act entitled an act defining the powers and duties of justices of the peace and constables in criminal cases, passed March 27, 1837, took effect July 4, 1837,

J. M. PATTISON, J. C. FISHER.
HENRY HARDY, S. KNOX,
B. NEFF, A. M. BURNS.
H. M. CHAPMAN,

The Speaker, in the presence of the House, signed said bills.

Mr. Neff submitted the following report:

The joint committee on Enrollment have examined, and found correctly enrolled, the following bills:

H. B. No. 73: To amend sections 93 and 96 of an act entitled an act for the reorganization and maintenance of common schools, passed May 1, 1873.

H. B. No. 59: To amend section one of an act entitled an act providing for inclosing railroads by fences and cattle-guards, as amended April 26, 1871.

H. B. No. 216: Relating to the infirmary of Ashland county.

B. NEFF, H. M. CHAPMAN,
L. A. BRUNNER, J. C. FISHER,
HENRY HARDY, S. KNOX,
J. M. PATTISON, M. C. LAWRENCE.

The Speaker, in the presence of the House, signed said bills.

Mr. Hardy submitted the following report:

The joint committee on Enrollment have examined, and found correctly enrolled, the following bill:

H. B. No. 117: To amend section 54 of an act passed April 17, 1852, entitled an act to amend sections 49, 53 and 54 of an act entitled an act to provide for the creation and regulation of incorporated companies in the State of Ohio, passed May 1, 1852, and to repeal the sections so hereby amended.

HENRY HARDY, H. M. CHAPMAN,
O. B. CHAPMAN, J. C. FISHER,
J. M. PATTISON, S. KNOX,
B. NEFF, M. C. LAWRENCE.

The Speaker, in the presence of the House, signed said bill.

Mr. Hardy submitted the following report:

The joint committee on Enrollment have examined, and found correctly enrolled, the following bills:

H. B. No. 289: To amend an act entitled an act authorizing township

trustees to levy a tax to purchase a site and erect a township house thereon, passed May 6, 1869.

H. B. No. 297: To authorize the commissioners of Hocking county to receive donations and make appropriations for a purpose therein named.

HENRY HARDY, H. M. CHAPMAN,
O. B. CHAPMAN, J. C. FISHER,
J. M. PATTISON, S. KNOX,
B. NEFF, M. C. LAWRENCE.

The Speaker, in the presence of the House, signed said bills.

Mr. Hardy submitted the following report:

The joint committee on Enrollment have examined, and found correctly enrolled, the following bill:

H. B. No. 162: To enable the common council of any city or incorporated village in this State having a population of twenty-five thousand inhabitants or more, through which any of the canals of this State may run, or for the board of county commissioners of the county in which such city or incorporated village may be situate, to construct and maintain for public use a swing bridge or self-closing bridge on any highway where the same crosses such canal within the territory of said city or incorporated village.

HENRY HARDY, H. M. CHAPMAN,
O. B. CHAPMAN, J. C. FISHER,
J. M. PATTISON, S. KNOX,
B. NEFF, M. C. LAWRENCE.

The Speaker, in the presence of the House, signed said bill.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has acceded to the request of the House of Representatives for a fourth committee of conference on the matters in difference between the two houses on H. B. No. 175, making appropriations for the fiscal year 1874 and the first quarter of the fiscal year 1875.

The President has appointed Messrs. Newman, Knox and Potter such committee on part of the Senate.

Attest: S. K. DONAVIN, *Clerk.*

On motion of Mr. Thompson of Lucas, the committee of the Whole was discharged from further consideration of S. B. No. 72; and, on his motion, the further consideration of said bill was postponed until December next.

On motion of Mr. Conklin, S. J. R. No. 17, heretofore informally passed, was taken up for consideration.

The question being on the adoption of the resolution, the yeas and nays were ordered, and resulted—yeas 59, nays 13, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Baker of Coshocton, Baker of Fairfield, Barrett, Beach, Beatty, Bell, Boyce, Chapman of Cuyahoga, Chapman of Meigs, Cooley, Conklin, Eidson, Faxon, Ford, Geghan, Gowey, Gordon, Grosvenor, Harrison, Heitmann, Herron, Hodge, Holloway, Holt, Howland, Lewis, Loomis, Mack, Martin, McCoy, McKinley, McLain, Morris, Munson, Myers of Fayette, Neff, Oren, Pattison, Poe, Ramsay, Ray, Richards, Richmond, Robb, Sheppard, Sherrick, Stone, Thompson of Lucas, Thompson of Montgomery, Tryon, Van Meter, Varley, Vincent, Walker, Watson, Weible and West—59.

Those who voted in the negative were—

Messrs. Barnett, Green, Haag, Hardy, Huston, Light, Mesloh, Miller, Nelson, Norton, Sater and White—13.

So the resolution was adopted.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has concurred in House amendments to S. B. No. 164, to amend section 522 of an act entitled an act to establish a code of civil procedure, passed March 11, 1853

Attest: S. K. DONAVIN, *Clerk.*

H. B. No. 304 having been re-engrossed, and previously read the third time, the question was taken on the passage of the bill.

On which the yeas and nays were ordered, and resulted—yeas 67, nays 1, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Barrett, Baskin, Beach, Beatty, Bell, Boyce, Chapman of Cuyahoga, Chapman of Meigs, Cole, Cooley, Conkright, Eidson, Eshelman, Faxon, Geghan, Gowey, Green, Haag, Hardy, Harrison, Hatfield, Heitmann, Herron, Hill, Holloway, Holt, Howland, Huston, Inman, Lewis, Light, Loomis, Martin, McCloud, McCoy, Mesloh, Miller, Moorehead, Munson, Murlin, Myers of Ashland, Myers of Fayette, Neff, Newell, Norton, Oren, Pattison, Ramsay, Ray, Richards, Robb, Sater, Sherrick, Stone, Thompson of Lucas, Thompson of Montgomery, Tryon, Van Meter, Varley, Vincent and Weible—67.

Mr. Hoagland voted in the negative.

So the bill passed. The title was agreed to.

Mr. Sater offered for adoption the following resolution:

H. R. No. 100: *Resolved,* That George Riley and Henry Brigaman, two of the porters of this House, be and they are hereby allowed each $2.50 per day for three days' services in cleaning up the wash-room and the hall of this House before the convening of the sixty-first General Assembly.

The question being on the adoption of said resolution, the yeas and nays were ordered, and resulted—yeas 72, nays 1, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Baker of Coshocton, Baker of Perry, Barrett, Baskin, Beach, Bell, Boyce, Chapman of Cuyahoga, Chapman of Meigs, Cole, Cooley, Conklin, Conkright, Eidson, Eshelman, Faxon, Ford, Geghan, Gowey, Green, Grosvenor, Hardy, Harrison, Hatfield, Heitmann, Herron, Hill, Hoagland, Hodge, Holloway, Holt, Howland, Huston, Inman, Light, Loomis, McCloud, McCoy, McKinley, McLain, Mesloh, Moorehead, Morris, Munson, Murlin, Myers of Ashland, Myers of Fayette, Neff, Nelson, Newell, Norton, Oren, Pattison, Ramsay, Ray, Richards, Richmond, Robb, Sater, Sheppard, Sherrick, Stone, Thompson of Lucas, Thompson of Montgomery, Tryon, Van Meter, Vincent, Walker, Watson and West—72.

Mr. Barnett voted in the negative.

So the resolution was adopted.

Mr. Hodge offered for adoption the following resolution:

H. R. No. 101: WHEREAS, Frederick Blankner, Third Assistant Sergeant-at-Arms, will be required several days after the adjournment, in taking care of files of bills and other papers belonging to members, for-

warding members letters and discharging other necessary duties; therefore

Resolved, That said Frederick Blankner be and he is hereby allowed ten days for extra services, and the Speaker be and he is hereby authorized and directed to issue his certificate to said Blankner for said ten days' extra services.

The question being on the adoption of the resolution, the yeas and nays were ordered, and resulted—yeas 66, nays 5, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Baker of Coshocton, Baker of Perry, Barrett, Beatty, Bell, Boyce, Brunner, Chapman of Cuyahoga, Chapman of Meigs, Cole, Cooley, Eidson, Eshelman, Faxon, Ford, Geghan, Gowey, Green, Grosvenor, Haag, Hardy, Heitmann, Herron, Hodge, Holloway, Howland, Huston, Inman, Lewis, Loomis, Martin, McCloud, McCoy, McKinley, McLain, Mesloh, Moorehead, Morris, Munson, Murlin, Myers of Ashland, Myers of Fayette, Neff, Nelson, Newell, Norton, Oren, Pattison, Pearson, Ramsay, Ray, Richards, Richmond, Robb, Sater, Thompson of Lucas, Thompson of Montgomery, Van Meter, Varley, Vincent, Walker, Watson, West and Willams—66.

Those who voted in the negative were—

Messrs. Baker of Fairfield, Barnett, Conklin, Hill and Hoagland—5.

So the resolution was adopted.

The Speaker announced that H. B. No. 254 had been re-engrossed.

The question then being "Shall the bill pass?" the yeas and nays were ordered, and resulted—yeas 71, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Barrett, Beach, Bell, Boyce, Chapman of Meigs, Cole, Cooley, Conkright, Eidson, Eshelman, Faxon, Geghan, Gowey, Green, Grosvenor, Haag, Hardy, Heitmann, Herron, Hill, Hoagland, Hodge, Holloway, Holt, Howland, Inman, Lewis, Light, Loomis, Mack, Martin, McCloud, McCoy, McKinley, McLain, Mesloh, Moorehead, Morris, Munson, Murlin, Myers of Ashland, Myers of Fayette, Nelson, Norton, Oren, Pattison, Pearson, Poe, Ramsay, Ray, Richards, Richmond, Robb, Sater, Sherrick, Stone, Thompson of Lucas, Thompson of Montgomery, Tryon, Van Meter, Varley, Vincent, Walker, Watson and Williams—71.

So the bill passed. The title was agreed to.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has concurred in the passage of H. B. No. 250, to provide for the repair of free turnpike roads in certain counties, with the inclosed amendments to bill and title, in which the concurrence of the House of Representatives is requested.

Attest: S. K. DONAVIN, *Clerk.*

The question being on agreeing to the Senate amendments to said bill, the yeas and nays were ordered, and resulted—yeas 65, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Baker of Fairfield, Barnett, Barrett, Baskin, Beach, Beatty, Bell, Boyce, Case, Chapman of Cuyahoga, Cole, Cooley, Conklin, Conkright, Eidson, Eshelman, Faxon, Gordon, Green, Haag, Hardy, Harrison, Hatfield, Heitmann, Herron, Hill, Hoagland, Hodge, Holloway, Inman, Lewis, Light, Loomis, Martin, McKinley, McLain, Mesloh, Miller, Morris, Munson, Murlin,

Myers of Ashland, Neff, Nelson, Norton, Oren, Pattison, Pearson, Ramsay, Ray, Richards, Richmond, Sater, Sherrick, Stone, Thompson of Lucas, Thompson of Montgomery, Tryon, Van Meter, Vincent, Watson, Weible and Williams—65.

So the amendments were agreed to.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has indefinitely postponed H. B. No. 318, to vacate so much of the Hocking canal as lies eastward of the lock at the village of Chauncey, Athens county.

Attest: S. K. DONAVIN, *Clerk.*

Mr. Lewis, on leave, submitted the following report:

The committee on Insane Asylums, to whom was referred S. J. R. No. 50, having had the same under consideration, report it back, with the following amendment, and recommend its adoption:

Insert in line 8, after the word "year," "except the hospitals for the Insane, Blind Asylum, and Soldiers' and Sailors' Orphans' Home."

E. C. LEWIS, R. G. RICHARDS,
ROBERT BARNETT, SAMUEL HERRON.
J. A. NORTON,

The amendment was agreed to.

The question then being on the adoption of the resolution, the yeas and nays were ordered, and resulted—yeas 66, nays 3, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Barrett, Baskin, Beach, Bell, Boyce, Chapman of Cuyahoga, Chapman of Meigs, Cole, Conkright, Eidson, Eshelman, Faxon, Gordon, Green, Grosvenor, Haag, Hardy, Harrison, Hatfield, Heitmann, Herron, Hoagland, Hodge, Holloway, Holt, Howland, Huston, Inman, Lewis, Light, Mack, McCloud, McCoy, McKinley, McLain, Mesloh, Miller, Moorehead, Murlin, Myers of Ashland, Myers of Fayette, Neff, Nelson, Norton, Pattison, Pearson, Poe, Ramsay, Ray, Richmond, Robb, Sater, Sheppard, Sherrick, Thompson of Montgomery, Van Meter, Weible, West, Williams and Speaker—66.

Messrs. Ford, Martin and Varley voted in the negative.

So the resolution was adopted.

Mr. Grosvenor offered for adoption the following resolution:

H. R. No. 102: *Resolved*, That the sum of fifty dollars each additional pay for finishing up the duties of their several positions be allowed to D. L. Crites, Journal Clerk; W. B. Dodds, Jr., Message Clerk; H. T. Ravenscroft, Engrossing Clerk; Charles E. Bell, Recording Clerk; and Isaac T. Moore, Enrolling Clerk; and that the Speaker certify the amounts so allowed in favor of said officers.

Mr. Brunner gave notice of a desire to discuss said resolution; so, under the rule, the resolution was laid on the table.

Mr. Grosvenor moved to suspend the rule, and that the resolution be acted upon now.

On which motion the yeas and nays were demanded, ordered, and resulted—yeas 49, nays 10, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Guernsey, Baker of Coshocton, Barrett, Baskin, Beach, Beatty, Bell, Boyce, Chapman of Cuyahoga, Cooley, Eidson, Faxon, Ford, Geghan, Gowey, Gordon, Grosvenor, Haag, Harrison, Hatfield, Her-

ron, Holloway, Howland, Huston, Loomis, Martin, McCloud, Mesloh, Miller, Morris, Munson, Myers of Fayette, Neff, Newell, Oren, Pattison, Ramsay, Ray, Richards, Richmond, Sater, Sheppard, Stone, Tryon, Van Meter, Varley, Weible, West and Williams—49.

Those who voted in the negative were—

Messrs. Baker of Fairfield, Barnett, Brunner, Conklin, Hill, Hoagland, McKinley, Poe, Thompson of Lucas, and Walker—10.

So the motion was agreed to.

The question then being on the adoption of the resolution, the yeas and nays were ordered, and resulted—yeas 52, nays 23, as follows:

Those who voted in the affirmative were—

Messrs. Barrett, Baskin, Beach, Beatty, Bell, Boyce, Chapman of Cuyahoga, Chapman of Meigs, Cooley, Eidson, Eshelman, Faxon, Ford, Geghan, Gowey, Gordon, Grosvenor, Haag, Hatfield, Herron, Hodge, Holloway, Huston, Lewis, Loomis, Mack, Martin, McCloud, McLain, Mesloh, Miller, Morris, Munson, Murlin, Myers of Fayette, Neff, Newell, Norton, Oren, Pattison, Pearson, Ramsay, Ray, Richards, Richmond, Sater, Thompson of Lucas, Tryon, Van Meter, Watson, West and Williams—52.

Those who voted in the negative were—

Messrs. Baker of Fairfield, Barnett, Brunner, Case, Cole, Conklin, Conkright, Green, Hardy, Harrison, Heitmann, Hill, Hoagland, Light, McKinley, Moorehead, Nelson, Poe, Robb, Thomson of Montgomery, Varley, Walker and Weible—23.

So the resolution was not adopted.

Mr. Norton offered for adoption the following resolution:

H. R. No. 103: WHEREAS, Henry L. Bishop, First Assistant Sergeant-at-Arms, has been a faithful and efficient officer; and

WHEREAS, It is a fact that he has served extra time by remaining in the hall nearly every night until 10 and 11 o'clock for the accommodation of members; and

WHEREAS, It is true that he offered, by resolution, to do the labor for thirty-five dollars for which Fred. Blankner was voted fifty dollars, but was refused the privilege; therefore

Resolved, That the said Henry L. Bishop be allowed pay for ten days' services, to be performed in some way after the close of the session, and that the Speaker be instructed to draw his warrant for the same.

Said resolution was ordered to be laid over for one day.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has concurred in the passage of the following bills:

H. B. No. 346: To authorize the trustees of Scott township, Adams county, Ohio, to levy a tax and build a foot-bridge across Buck run, in said township.

H. B. No. 341: For the relief of William Van Doren.

Attest: S. K. DONAVIN, *Clerk.*

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has concurred in the passage of H. B. No. 86, to prevent dangerous interference with steam boilers, with the inclosed amendments, in which the concurrence of the House of Representatives is requested.

Attest: S. K. DONAVIN, *Clerk.*

The question being on agreeing to the Senate amendments to said bill the yeas and nays were ordered, and resulted—yeas 56, nays 3, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Baker of Fairfield, Barnett, Barrett, Beach, Case, Chapman of Cuyahoga, Chapman of Meigs, Cooley, Conklin, Eidson, Eshelman, Faxon, Ford, Gowey, Gordon, Green, Grosvenor, Haag, Hardy, Harrison, Hatfield, Heitmann, Herron, Hill, Holloway, Howland, Huston, Inman, Light, Loomis, Martin, McCoy, Morris, Myers of Ashland, Myers of Fayette, Neff, Newton, Pattison, Ray, Richards, Richmond, Robb, Sherrick, Stone, Thompson of Lucas, Thompson of Montgomery, Tryon, Van Meter, Varley, Vincent, Walker, Watson, Weible and Williams—56.

Messrs. Baker of Perry, Geghan and Miller voted in the negative.

So the amendments were agreed to.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has agreed to the report of the fourth committee of conference on H. B. No. 175, making appropriations for the fiscal year 1874, and the first quarter of the fiscal year 1875.

Attest: S. K. DONAVIN, *Clerk.*

Mr. Case submitted the following report:

The committee of conference appointed to consider the matters in difference between the two houses on H. B. No. 175, make the following report:

The committee recommend that the House concur in Senate amendment No. 12 to section 1.

That the Senate recede from its amendment No. 13 to section 1.

That the House concur in Senate amendment No. 16 to section 1.

That the Senate recede from its amendment No. 17 to section 1.

That the House concur in Senate amendments Nos. 19 and 20 to section 1.

That the Senate concur in House amendment to Senate amendment No. 26 to section 1.

That the Senate concur in House amendment to Senate amendment No. 27 to section 1.

That the House recede from its amendment to Senate amendment No. 2 to section 2.

That the House concur in Senate amendment No. 3 to section 2.

That the House concur in Senate amendment No. 9 to section 2.

That the House concur in that part of Senate amendment No. 10 of section 2 striking out "trustees," and inserting "commissioners, under the act of March 31, 1874," and that the Senate recede from its amendment striking out "one hundred and twenty-five," and inserting "fifty," and concur in House amendment, adding "and to pay expenses of taking care of farm and other State property, two thousand dollars."

That the Senate concur in House amendment to Senate amendment No. 13 to section 2.

That the Senate concur in House amendment to Senate amendment No. 14 to section 2.

That the House concur in Senate amendment No. 11 to section 2.

That the Senate recede from its 17th amendment to section 2.

That the Senate recede from its 18th amendment to section 2.

That the House concur in Senate amendment No. 22 to section 2.

JAS. W. NEWMAN,	O. CASE,
E. D. POTTER,	T. B. WILLIAMS,
S. KNOX,	L. A. BRUNNER,
Senate Committee.	*House Committee.*

The question being on agreeing to the report of the committee of conference, the yeas and nays were ordered, and resulted—yeas 76, nays 2, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Baker of Fairfield, Baker of Perry, Barrett, Baskin, Beach, Beatty, Bell, Boyce, Case, Chapman of Meigs, Cole, Cooley, Conklin, Conkright, Eidson, Eshelman, Faxon, Ford, Geghan, Gowey, Green, Grosvenor, Haag, Hardy, Harrison, Hatfield, Heitmann, Hill, Hoagland, Hodge, Holloway, Holt, Howland, Huston, Inman, Lewis, Light, Loomis, Martin, McCloud, McKinley, McLain, Mesloh, Moorehead, Morris, Munson, Murlin, Myers of Ashland, Myers of Fayette, Neff, Nelson, Newell, Norton, Oren, Pattison, Poe, Ramsay, Ray, Richards, Richmond, Robb, Sater, Sherrick, Stone, Thompson of Lucas, Thompson of Montgomery, Tryon, Van Meter, Varley, Walker, Watson, Weible, White and Williams—76.

Messrs. Herron and McCoy voted in the negative.

So the report of the fourth committee of conference was agreed to.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has refused to concur in the passage of H. B. No. 238, to apportion the State of Ohio into congressional districts, and to repeal a certain act therein named.

Attest: S. K. DONAVIN, *Clerk.*

Mr. Pattison submitted the following report:

The joint committee on Enrollment have examined, and found correctly enrolled, the following bill:

H. B. No 320: To regulate the Ohio Soldiers' and Sailors' Orphans' Home, located at Xenia, and to repeal certain acts therein named.

J. M. PATTISON,	L. A. BRUNNER,
HENRY HARDY,	S. KNOX,
B. NEFF,	J. C. FISHER,
O. B. CHAPMAN,	M. C. LAWRENCE.

The Speaker, in the presence of the House, signed said bill.

Mr. Pattison submitted the following report:

The joint committee on Enrollment have examined, and found correctly enrolled, the following bill:

H. B. No. 317: To authorize the board of education of the Huntsville school district, in the incorporated village of Huntsville, in the county of Logan, to borrow money and issue bonds to build a school-house, or addition to the school-house, in said village, and to purchase additional territory to school-house lot.

J. M. PATTISON,	B. NEFF,
O. B. CHAPMAN,	J. C. FISHER,
H. HARDY,	S. KNOX,
H. M. CHAPMAN,	A. M. BURNS.

The Speaker, in the presence of the House, signed said bill.

Mr. Pattison submitted the following report:

The joint committee on Enrollment have examined, and found correctly enrolled, the following bills:

H. B. No. 335: To authorize the trustees of the township of Harpersfield, Ashtabula county, to sell and convey certain real estate therein mentioned, and purchase other lands with the proceeds.

H. B. No. 324: To authorize the commissioners of Scioto county to levy an additional tax.

H. B. No. 298: To authorize county commissioners to repair improved roads in certain cases.

J. M. PATTISON, J. C. FISHER,
L. A. BRUNNER, A. M. BURNS,
HENRY HARDY, M. C. LAWRENCE.
B. NEFF,

The Speaker, in the presence of the House, signed said bills.

Mr. Pattison submitted the following report:

The joint committee on Enrollment have examined, and found correctly enrolled, the following bill:

H. B. No. 306: To amend section 19 of an act for the relief of the poor, passed April 26, 1872.

J. M. PATTISON, J. C. FISHER,
HENRY HARDY, S. KNOX,
B. NEFF, A. M. BURNS,
O. B. CHAPMAN, M. C. LAWRENCE.
H. M. CHAPMAN,

The Speaker, in the presence of the House, signed said bill.

Mr. Harrison moved to reconsider the vote by which H. R. No. — was lost.

Which was disagreed to.

Mr. Barnett asked and obtained leave to record his vote on agreeing to the report of the fourth committee of conference on H. B. No. 175.

Mr. Barnett being called, voted in the negative.

On motion of Mr. Grosvenor, the House adjourned until 8 o'clock A.M. Monday next.

Attest: THOMAS COUGHLIN, *Clerk.*

MONDAY, APRIL 20, 1874—8 o'clock A.M.

The House met pursuant to adjournment.

Prayer Rev. T. D. Garvin.

Mr. Chapman of Cuyahoga submitted the following report:

The joint committee on Enrollment have examined, and found correctly enrolled, the following bills:

H. B. No. 354: To amend section 9 of the act entitled an act supplementary to an act entitled an act to provide for the creation and regulation of incorporated companies in the State of Ohio, passed May 1, 1852, passed April 15, 1867, as amended February 25, 1869.

H. B. No. 14: To amend section 10 of an act supplementary to an act to provide for the organization and government of municipal corporations, passed February 10, 1870.

H. B. No. 183: Supplementary to an act entitled an act to protect the elections of voluntary political associations, and to punish frauds therein, passed February 24, 1871.

H. B. No. 137: To amend section 12 of an act entitled an act to establish the independent treasury of the State of Ohio, passed April 12, and took effect July 1, 1858, so as to make the duties of the judge of probate more definite and certain.

H. B. No. 101: To authorize the commissioners of Allen county to levy a tax to purchase and improve fair grounds for the agricultural society of said county.

H. B. No. 343: To change the time fixed for holding the second term of the court of common pleas for the year 1874 in the county of Auglaize.

H. M. CHAPMAN, J. C. FISHER,
HENRY HARDY, I. N. HATHAWAY,
L. A. BRUNNER, S. KNOX.
B. NEFF,

The Speaker, in the presence of the House, signed said bills.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has concurred in the passage of H. B. No. 347, to authorize the citizens of the village of Brookville, Montgomery county, to hold a special election.

Attest: S. K. DONAVIN, *Clerk.*

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has concurred in the passage of H. B. No. 272, to amend section 1 of the act entitled an act to require county commissioners to construct approaches to bridges, with the following amendment, in which the concurrence of the House of Representatives is requested:

Add at the end of line 9 the following: "Provided, this act shall be applicable only to counties where, by the Federal census of A.D. 1870, there are less than thirty thousand inhabitants."

Attest: S. K. DONAVIN, *Clerk.*

The question being on agreeing to the Senate amendment to said bill, the yeas and nays were ordered, and resulted—yeas 55, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Baker of Coshocton, Baker of Fairfield, Baker of Perry, Barnett, Beach, Beatty, Bell, Boyce, Case, Chapman of Cuyahoga, Chapman of Meigs, Cole, Cooley, Conklin, Conkright, Faxon, Ford, Green, Grosvenor, Haag, Hardy, Hatfield, Haven, Hodge, Holt, Huston, Inman, Johnson, Loomis, McCloud, McCoy, McKinley, McLain, Mesloh, Myers of Ashland, Myers of Fayette, Nelson, Newell, Norton, Pattison, Pearson, Poe, Ramsay, Ray, Robb, Sherrick, Thompson of Lucas, Thompson of Montgomery, Varley, Walker, West, White and Speaker—55.

So the amendment was agreed to.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has passed the following bill, in which the concurrence of the House of Representatives is requested:

S. B. No. 158—By Mr. Reid: To enable incorporated companies for mining or manufacturing purposes to construct switches or turn-outs from tracks of railroad companies.

Attest: S. K. DONAVIN, *Clerk.*

On motion of Mr. Haag, said bill was laid on the table.

Mr. Brunner, on leave, submitted the following report:

The committee on Public Printing, to whom was referred S. J. R. No.

47, to provide for the publication of Ohio State Reports, having had the same under consideration, report it back, and recommend its adoption.

L. A. BRUNNER, J. B. RAY,
I. M. BARRETT, E. S. HOLLOWAY.
E. B. ESHELMAN,

The question being on the adoption of said resolution, the yeas and nays were ordered, and resulted—yeas 56, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Baker of Coshocton, Baker of Perry, Barnett, Barrett, Baskin, Beach, Beatty, Bell, Boyce, Case, Chapman of Cuyahoga, Chapman of Meigs, Cole, Cooley, Eshelman, Faxon, Green, Grosvenor, Haag, Hardy, Haven, Holloway, Holt, Huston, Inman, Johnson, Kemp, Loomis, Martin, McCloud, McCoy, McKinley, McLain, Mesloh, Morris, Munson, Myers of Fayette, Nelson, Newell, Norton, Pattison, Pearson, Ramsay, Ray, Richards, Robb, Sherrick, Stone, Thompson of Lucas, Varley, Walker, Watson, White and Speaker—56.

So the resolution was adopted.

Mr. Hardy submittod the following report:

The joint committee on Enrollment have examined, and found correctly enrolled, the following bills:

H. B. No. 259: To create two election precincts in the township of Salem, Columbiana county.

H. B. No. 224: To amend section 1 of an act to protect the election of voluntary political associations, and to punish frauds therein, passed February 24, 1871.

H. B. No. 305: To amend section 34 of an act to regulate the election of State and county officers, passed May 3, 1852.

H. B. No. No. 310: To enable trustees of religious denominations to become incorporated, and defining their powers.

HENRY HARDY, M. C. LAWRENCE,
B. NEFF, J. M. PATTISON,
J. C. FISHER, O. B. CHAPMAN,
A. M. BURNS, H. M. CHAPMAN.
S. KNOX,

The Speaker, in the presence of the House, signed said bills.

Mr. Chapman of Cuyahoga submitted the following report:

The joint committee on Enrollment have examined, and found correctly enrolled, the following bills and joint resolutions:

S. B. No. 84: To repeal an act entitled an act to incorporate the Union Bridge Company, passed February 11, 1832.

S. B. No. 74: Prescribing the rate of State taxes, and to repeal an act therein named.

S. B. No. 99: To authorize the incorporation of companies for the sale of goods and merchandise.

S. B. No. 156: To change the time for holding the summer term of the court of common pleas for the year 1874 for the county of Richland.

S. B. No. 169: To revive section 17 of the act entitled an act to regulate and govern the Ohio Penitentiary, passed April 1, 1867.

S. B. No. 145: To authorize the trustees of Paint township, Fayette county, Ohio, to divide said township so as to create two election precincts.

S. B. No. 110: To amend an act entitled an act to provide for the reor-

ganization and government of municipal corporations, passed May 7, 1869.

S. B. No. 164: To amend section 522 of an act entitled an act to establish a code of civil procedure, passed March 11, 1853.

S. B. No. 4: To amend section 13 of the act of May 1, 1852, entitled an act to provide for the creation and regulation of incorporated companies in the State of Ohio, as amended April 25, 1873.

S. J. R. No. 37: Appropriating money to Mary and Ellen Waters.

S. J. R. No. 48: Authorizing the Secretary of State to distribute certain reports.

S. J. R. No. 17: Relating to the relief of T. F. and W. A. Jones, contractors.

S. J. R. No. 50: Requiring the directors, trustees and commissioners of State institutions to make detailed quarterly reports.

S. B. No. 129: To provide for the more economical management and better regulation of the Institution for the Education of the Blind, and to repeal certain acts therein named.

J. C. FISHER, I. N. HATHAWAY,
S. KNOX, H. M. CHAPMAN,
M. C. LAWRENCE, HENRY HARDY,
A. M. BURNS, J. M. PATTISON.

The Speaker, in the presence of the House, signed said bills and joint resolutions.

Mr. Chapman of Cuyahoga submitted the following report:

The joint committee on Enrollment have examined, and found correctly enrolled, the following bill:

H. B. No. 175: Making appropriations for the fiscal year 1874, and the first quarter of the fiscal year 1875.

J. M. PATTISON, J. C. FISHER,
HENRY HARDY, S. KNOX,
O. B. CHAPMAN, M. C. LAWRENCE.
B. NEFF,

The Speaker, in the presence of the House, signed said bill.

Mr. Pattison submitted the following report:

The joint committee on Enrollment have examined, and found correctly enrolled, the following bills:

H. B. No. 147: Amendatory of an act to protect sidewalks, passed April 3, 1867.

H. B. No. 308: To create two election precincts in Scipio township, Meigs county.

H. B. No. 264: To provide for the republication of certain volumes of the Ohio State Reports.

H. B. No. 57: To protect certain birds and game, and to protect landowners and punish trespassing upon improved or inclosed land, and to repeal certain statutes therein designated.

H. B. No. 234: To authorize the trustees of Lagrange township, Lorain county, Ohio, to borrow money to build a town hall.

H. B. No. 348: To enable certain trustees of the Church of Christ, at Nelsonville, Athens county, Ohio, to convey certain real estate.

J. M. PATTISON, J. C. FISHER,
HENRY HARDY, S. KNOX,
H. M. CHAPMAN, M. C. LAWRENCE,
O. B. CHAPMAN, A. M. BURNS.
B. NEFF,

The Speaker, in the presence of the House, signed said bills.

The Journal of Saturday's proceeding was read and approved.

Mr. Case, on leave, offered for adoption the following resolution:

H. J. R. No. 45: WHEREAS, The State of Ohio has just reason to be proud of its grand system of charities, which has won for it the approbation of the humane everywhere, and will not consent to cripple the usefulness of any of its benevolent institutions by withholding a dollar of appropriation necessary for their successful management, and for the full accomplishment of the noble purposes for which they were established; that, nevertheless, a due regard for the interests of the heavily burdened taxpayers of the State require the strictest economy in every department of the State service; therefore

Resolved by the General Assembly of the State of Ohio, That there be appointed a joint committee of the two houses, consisting of two on the part of the Senate and three on the part of the House, whose duty it shall be to make a full and complete investigation concerning the building and management of the following State institutions: The Reform School for Boys; the Industrial School for Girls; the Soldiers' and Sailors' Orphans' Home; the Institution for the Education of the Deaf and Dumb; the Institution for the Education of the Blind; the Central, Northern, Southern and Athens lunatic asylums, and the Asylum for Idiotic and Imbecile Youth.

The said committee shall have power to sit during the recess of the General Assembly, and shall make detailed reports of its investigations at intervals of not exceeding two months, which reports shall be by them immediately published, and the same shall also be submitted to the General Assembly at its adjourned session. Said committee shall make at least two visits to each of the institutions named in this resolution without having given previous notice, and shall enter into a thorough investigation of everything connected with the building, financial management, discipline and treatment of the inmates of said institutions. The committee may also hold sessions in the city of Columbus, and shall have power to swear witnesses and compel the attendance of persons, and the presentation of such books and papers as it may deem essential in the prosecution of its investigation. It may prescribe its own rules, and employ a clerk while actually engaged, and command the services of a Sergeant-at-Arms of either branch of the General Assembly to serve papers and compel attendance. Said committee shall not occupy more than four months' actual time in making its investigations, and shall receive for its services their per diem as members and officers of the General Assembly, and the actual expenses incurred for railroad and carriage fare, to be paid out of the State treasury upon the vouchers of the chairman of the committee, certified by the Governor.

Mr. Grosvenor moved to amend the resolution by striking out the second paragraph of the resolution.

Which was agreed to.

The question then being on the adoption of the resolution, the yeas and nays were ordered, and resulted—yeas 54, nays 4, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Belmont, Baker of Coshocton, Baker of Perry, Barnett, Baskin, Beach, Beatty, Bell, Boyce, Case, Chapman of Cuyahoga, Chapman of Meigs, Conklin, Eidson, Eshelman, Ford, Geghan, Gowey, Green, Haag, Hardy, Hatfield, Haven, Heitmann, Herron, Hoagland, Hodge, Huston, Inman, Johnson, Lewis, Loomis, Mann, McCloud, McCoy, McLain, Morris, Myers of Ashland, Neff, Newell, Norton, Pattison, Pear-

son, Ray, Richards, Richmond, Robb, Sater, Sheppard, Stone, Van Meter, Walker, Weible and Speaker—54.

Messrs. Baker of Fairfield, Grosvenor, Weible and White voted in the negative.

So the resolution was adopted.

Mr. Grosvenor offered the following resolution, which was adopted:

H. R. No. 104: *Resolved*, That the thanks of this House are due, and the same are hereby cordially tendered, to Hon. George L. Converse, Speaker, for the very efficient, faithful, impartial and courteous manner in which he has performed the difficult and delicate duties of his said office.

Mr. Boyce offered for adoption the following resolution:

H. R. No. 105: *Resolved*, That the Clerk of the House be allowed pay for one hundred and sixty days, at the rate allowed members and officers of the General Assembly by law, for completing the record of the House Journal of the present session; and the presiding officer of the House is hereby authorized and directed to certify in favor of the chief Clerk for said allowance.

The question being on the adoption of the resolution, the yeas and nays were ordered, and resulted—yeas 54, nays 1, as follows:

Those who voted in the affirmative were—

Messrs. Baker of Perry, Barrett, Baskin, Beach, Beatty, Bell, Boyce, Case, Cole, Cooley, Eidson, Eshelman, Ford, Geghan, Gowey, Gordon, Green, Grosvenor, Haag, Hardy, Heitmann, Herron, Hoagland, Hodge, Holloway, Holt, Huston, Inman, Johnson, Kemp, Lewis, Loomis, McCoy, McLain, Mesloh, Miller, Morris, Munson, Murlin, Myers of Fayette, Nelson, Newell, Norton, Pattison, Pearson, Ray, Richards, Richmond, Sater, Sheppard, Sherrick, Stone, Thompson of Montgomery, Weible and White—54.

Mr. Walker voted in the negative.

So the resolution was adopted.

Mr. Pattison submitted the following report:

The joint committee on Enrollment have examined, and found correctly enrolled, the following bills:

H. B. No. 346: To authorize the trustees of Scott township, Adams county, to levy a tax to build a foot-bridge across Buck run, in said township.

H. B. No. 86: To prevent dangerous interference with steam boilers.

H. B. No. 347: To authorize the citizens of the village of Brookville, Montgomery county, to hold a special election.

J. M. Pattison, A. M. Burns,
H. Hardy, S. Knox,
H. M. Chapman, M. C. Lawrence.
J. C. Fisher,

The Speaker, in the presence of the House, signed said bills.

Mr. Pattison submitted the following report:

The joint committee on Enrollment have examined, and found correctly enrolled, the following bills:

H. B. No. 286: To authorize the trustees of Orange township, Carroll county, Ohio, to join with the council of the incorporated village of Leesburg, in said township, in the construction of a town hall for the joint use of said township and village, and to authorize private persons to join with them in the construction of such hall.

H. B. No. 331: Supplementary to an act entitled an act to regulate the

platting of lands and laying out of streets in municipal corporations, passed March 12, 1871.

H. B. No. 202: To amend sections 306, 307, 318 and 325 of an act entitled an act for the organization and government of municipal corporations, passed May 7, 1869.

J. M. PATTISON, J. C. FISHER,
H. HARDY, S. KNOX,
H. M. CHAPMAN, M. C. LAWRENCE,
O. B. CHAPMAN, A. M. BURNS.
B. NEFF,

The Speaker, in the presence of the House, signed said bills.

Mr. Pattison submitted the following report:

The joint committee on Enrollment have examined, and found correctly enrolled, the following bill:

H. B. No. 267: To authorize the trustees of Spencer township, Hamilton county, to sell the township hall.

J. M. PATTISON, J. C. FISHER,
H. HARDY, S. KNOX,
H. M. CHAPMAN, M. C. LAWRENCE,
O. B. CHAPMAN, A. M. BURNS.
B. NEFF,

The Speaker, in the presence of the House, signed said bill.

Mr. Pattison submitted the following report:

The joint committee on Enrollment have examined, and found correctly enrolled, the following joint resolution:

S. J. R. No. 47: To provide for the publication of the Ohio State Reports.

J. M. PATTISON, J. C. FISHER,
H. HARDY, S. KNOX,
H. M. CHAPMAN, A. M. BURNS.
O. B. CHAPMAN,

The Speaker, in the presence of the House, signed said joint resolution.

Mr. Gowey offered the following resolution, which was adopted:

H. R. No. 106: *Resolved*, That the thanks of this House be and they are hereby tendered to Hon. Milton McCoy, Speaker *pro tem.*, for the courteous and impartial manner in which he has presided over the deliberations of this body.

Mr. Grosvenor offered the following resolution:

H. R. No. 107: WHEREAS, Complaint is made by many business men of the State that the express companies now and for many years doing business within this State and upon lines of railroad passing through the State, have charged, and are still charging, unreasonable and exorbitant rates of freight, and are enforcing unjust and oppressive discriminations against localities and between commodities, and are in other ways oppressing the people of the State in the mode and manner of the conducting of their business; and

WHEREAS, Similar complaints have been made of the management of the telegraph lines within the State; therefore

Resolved, That a committee of three be appointed by this House, with power to investigate during the recess of this Legislature, and report at the adjourned session—

1st. Under and by what authority the several express and telegraph companies doing business in Ohio are being operated.

2d. What, if any, frauds exist for the complaints aforesaid.

3d. Such other matters pertaining to the complaints aforesaid and the business of said companies as said committee may deem best.

4th. What power this Legislature has to correct any existing abuse of power, neglect of duty or oppression of the people, if found to exist; and said committee may report by bill or otherwise.

Mr. White gave notice of a desire to discuss said resolution; so, under the rule, it was laid on the table.

Mr. Grosvenor moved to suspend the rule, and that the resolution be acted on now.

On which motion the yeas and nays were demanded, ordered, and resulted—yeas 47, nays 17, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong of Belmont, Armstrong of Guernsey, Baker of Coshocton, Baker of Perry, Barrett, Beatty, Bell, Boyce, Case, Chapman of Cuyahoga, Chapman of Meigs, Cole, Cooley, Eidson, Faxon, Ford, Geghan, Gowey, Gordon, Green, Grosvenor, Haag, Haven, Herron, Hodge, Johnson, Lewis, Loomis, Mann, Martin, McCoy, McLain, Mesloh, Murlin, Myers of Fayette, Neff, Newton, Oren, Ramsay, Richards, Richmond, Sater, Stone, Thompson of Lucas, Van Meter, Vincent and Williams—47.

Those who voted in the negative were—

Messrs. Baker of Fairfield, Barnett, Baskin, Conklin, Heitmann, Hoagland, Holt, Inman, Kemp, Light, McKinley, Nelson, Sheppard, Sherrick, Thompson of Montgomery, Walker and White—17.

So the motion was agreed to.

Mr. Pattison submitted the following report:

The joint committee on Enrollment have examined, and found correctly enrolled, the following bill:

H. B. No. 272: To amend section 1 of the act entitled an act to require county commissioners to construct approaches to bridges.

J. M. PATTISON, J. C. FISHER,
H. HARDY, A. M. BURNS,
O. B. CHAPMAN, S. KNOX,
B. NEEF, M. C. LAWRENCE.
H. M. CHAPMAN,

The Speaker, in the presence of the House, signed said bill.

Mr. Pattison submitted the following report:

The joint committee on Enrollment have examined, and found correctly enrolled, the following bills and joint resolution:

H. B. No. 71: To amend section 6 of the act entitled an act for the inspection of certain articles therein named.

H. B. No. 250: To provide for the repair of free turnpike roads in certain counties, and to authorize the county commissioners of any county in this State to constitute a board of directors to regulate the hauling of heavy burdens on any free turnpike or improved road.

H. B. No. 129: Supplementary to an act entitled an act to provide for the creation and regulation of incorporated companies in the State of Ohio, passed May 1, 1852.

H. J. R. No. 37: Relative to printing copies of Agricultural report.

J. M. PATTISON, J. C. FISHER,
H. M. CHAPMAN, M. C. LAWRENCE,
B. NEFF, A. M. BURNS,
HENRY HARDY, S. KNOX.
O. B. CHAPMAN,

The Speaker, in the presence of the House, signed said bills and joint resolution.

Mr. Pattison submitted the following report:

The joint committee on Enrollment have examined, and found correctly enrolled, the following joint resolution:

S. J. R. No. 49: Directing the Secretary of State to take possession of certain plates used in the publication of Geological reports.

J. C. FISHER, J. M. PATTISON,
S. KNOX, HENRY HARDY,
M. C. LAWRENCE, B. FEFF,
A. M. BURNS, H. M. CHAPMAN.

The Speaker, in the presence of the House, signed said resolution.

The question then being on the adoption of H. R. No. 107, it was agreed to.

The Speaker appointed as said committee Messrs. Grosvenor, McCoy, and Baker of Perry.

Mr. Richards offered the following resolution, which was adopted:

H. R. No. 108: *Resolved*, That the thanks of this House are due to the Clerk and his assistants, to the Sergeant-at-Arms and his assistants, and to the Pages, for the efficient and courteous manner in which they have performed their respective duties during this session of the Legislature.

Mr. Conklin moved to reconsider the vote by which H. J. R. No. 45 was adopted.

On which motion the yeas and nays were demanded, ordered, and resulted—yeas 44, nays 18, as follows:

Those who voted in the affirmative were—

Messrs. Baker of Coshocton, Baker of Fairfield, Barnett, Barrett, Baskin, Beach, Beatty, Bell, Boyce, Cole, Cooley, Conklin, Duncan, Eidson, Green, Haag, Haven, Heitmann, Hoagland, Hodge, Holt, Huston, Inman, Kemp, Light, Mesloh, Murlin, Nelson, Oren, Pattison, Pearson, Ray, Sater, Sheppard, Sherrick, Stone, Van Meter, Varley, Vincent, Walker, Watson, Weible, White and Williams—44.

Those who voted in the negative were—

Messrs. Armstrong of Belmont, Baker of Perry, Case, Chapman of Cuyahoga, Chapman of Meigs, Grosvenor, Holloway, Loomis, Mann, McLain, Munson, Myers of Fayette, Norton, Ramsay, Richards, Richmond, Thompson of Lucas, and Speaker—18.

So the motion was agreed to.

Mr. Light moved that the resolution be referred to the committee on Insane Asylums.

On motion of Mr Baker of Fairfield, the resolution was laid on the table.

Mr. McCoy, the Speaker *pro tem.*, delivered the following address:

MR. SPEAKER, AND FELLOW-MEMBERS OF THE GENERAL ASSEMBLY: My heart is full of thankfulness to one and all for the kind testimonial which you have seen fit to adopt in H. R. No. 106; and here let me say I have endeavored to discharge the duties pertaining to the office of Speaker *pro tem.* of this body to the best of my ability, and if at any time I have erred or spoken to any one an unkind word, it was unintentional.

Mr. Speaker, hoping that when we have returned to our several avocations of life, may we carry with us no feeling of hatred for words spoken in or out of debate, but cherish in our hearts that feeling of friendship which one should cherish for another. Should kind Providence smile upon us during our separation, may we, without one link being broken, return at the appointed time to our seats in this body.

Once again, fellow-members, one and all, allow me to return you my thanks.

On motion of Mr. Haag, a message was ordered to be sent to the Senate informing that body that the House is now ready to adjourn until the first Tuesday of December next, in pursuance of S. J. R. No. 46.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate is now ready to adjourn, in pursuance of S. J. R. No. 46, to meet again December 1, 1874, at 10 o'clock A.M.

Attest: S. K. DONAVIN, *Clerk.*

The Speaker then arose and said:

GENTLEMEN OF THE HOUSE OF REPRESENTATIVES: At this hour of parting, and especially after the kind expressions of friendship and confidence on your part in your resolution adopted this morning, it is fitting and proper that I should return to each and all the members of this House, as I now do, my sincere and heartfelt thanks for your uniform kindness and support during the session.

An expression of gratitude is also due to each of the officers and employes for their invariable kindness and assistance, for the promptitude they have shown in the discharge of their several duties, and also to the representatives of the press for their many acts of courtesy and friendly encouragement.

If to any my decisions have seemed harsh and arbitrary or unjust, I crave his pardon. In the midst of varied and conflicting interests, accompanied sometimes with partisan, personal or sectional feeling, it is not always easy to strike the golden mesne which justice and the law require.

It is a gratifying and remarkable fact that the members of this House, after three and a half months of legislation and debate, separate with no bitterness of feeling towards each other. Should we meet here again next winter, it is to be hoped the same kindly feeling will prevail. The experience of this will enable us to serve the State to better advantage. On behalf of my colleague, as well as myself, and the constituents we represent, I can promise you a hearty welcome on your return to this city.

I will not longer detain you from setting out on your journey to happy homes, kind friends, confiding constituents and pleasanter pursuits, and therefore now declare this House adjourned until the first Tuesday of next December, at 10 o'clock A.M.

Attest: THOMAS COUGHLIN, *Clerk.*

APPENDIX.

FIRST ANNUAL REPORT OF THE OHIO COMMISSIONERS OF FISHERIES.

EXECUTIVE DEPARTMENT, COLUMBUS, February 26, 1874.

To the General Assembly :

I have the honor herewith to transmit the first report of the Commissioners of Fisheries.

From this report, as well as from other authentic sources of information, it appears that the re-stocking of streams and lakes with fishes is no longer a matter of speculation, but is an established fact.

The continuance of the present commission, consisting, practically, of two persons only, having at its command adequate facilities to put into successful operation the artificial hatching of fish ova, to supply the waters of the State with an abundance of cheap food, is approved by me, and will, I think, meet the views of all interested.

Some further legislation is deemed necessary to enable the Commissioners to proceed with the establishment of hatching-houses, together with such other duties as may be proper to be discharged by them, to render successful the furtherance of re-stocking the waters with fish.

Having been furnished with but one copy of the report, it is sent to the House of Representatives.

Respectfully, W. ALLEN, *Governor.*

HON. WILLIAM ALLEN, *Governor of Ohio :*

The Commissioners of Fisheries, appointed in accordance with the laws of 1873, do make this, their first report, pursuant to law, for the year ending 1873.

Section 2 of the law authorizing the appointment of Commissioners reads as follows, viz :

"It shall be the duty of the Commissioners to examine the various rivers, lakes, ponds and streams of the State of Ohio, and the waters adjoining the same, with a view of ascertaining whether they can be rendered more productive of fish, and what measures are desirable to effect this object, either in restoring the production of fish in them, or in protecting or propagating the fish that at present frequent them, or otherwise. Said Commissioners shall inquire into the matter of the artificial propagation of fish in the various waters throughout the State ; and such Commissioners shall report the result of their labors, and any recommendations they may have to offer, at the next meeting of the General Assembly of this State."

We were appointed in the month of June, 1873, when the season for spawning of the native fishes in the rivers and reservoirs was so far advanced as to be practically terminated for the year. No attempts were made at artificial spawning, for the reason that hatching-houses, hatching-boxes and artificial ponds were not in readiness, and could not be prepared until the season was completely over.

We have deemed it not inconsistent with the discharge of our duties to inquire into the

CAUSES OF DECREASE OF THE SUPPLY OF FISH.

Since Ohio has become a State, seventeen millions of acres of forest has been removed, This extensive and rapid removal has most assuredly caused the drying up of many swamps and ponds which not only afforded shelter for many kinds of game, but were at the same time sources from which numerous brooks and streamlets derived their supply of water, and which served also as spawning-beds for many varieties of fishes. The conversion of these swamps into arable land—as most of them now are—necessarily destroyed the spawning-beds and very seriously reduced the supply of fishes in the larger streams, because the instinct of the fish is to return to its birth-place to spawn. In every part of the State are streams the waters of which, forty years since, afforded sufficient motive power to operate a grist or saw-mill, but which at present are absolutely dry during a period of more than four months each ordinary year. Of course such streams produce no fishes now, although all manner of native or indigenous fishes abounded in them at the time the mills were erected. The erection of dams for slack-water navigation have very seriously interfered with the propagation, and have very greatly diminished the supply. The greater number of the mill-dams are impassable for the ordinary fish of the streams, and render it impossible for the gravid fish to find their way to the shallow streams to deposit their spawn. An experiment was involuntarily made in the Connecticut river at Holyoke, Massachusetts. Shad and salmon frequent this river, but to obtain a competent water-power for manufacturing purposes, a dam thirty feet high was built across it. The second year after the construction of the dam these two species of fish disappeared from above the dam, and at the end of four years all the shad and salmon which had been spawned (or born) above the dam were caught below the dam, and so the river became depopulated of these fishes. The Fishery Commissioners of that State are now re-stocking it with both shad and salmon.

In the Scioto river, in days gone by, the "buffalo" (Bubalichthys taurus, *Cope*), white perch (Pomoxys hexacanthus, *Cope*), and jack salmon (Stizostedium americanum, *Cope*), were very abundant. The pond perch (Micropteris megastoma) was also abundant, but since the building of the State dam across the Scioto, a few miles below Chillicothe, these fish have become comparatively rare; and while these best fishes have nearly disappeared, no desirable new varieties have taken their place, except the white perch of the lake, or lake bass (Labrax multilineatus?). This fish was introduced about 1840 from Lake Erie, by means of the canal, into all the reservoirs, the Scioto, and other rivers. This lake bass made its appearance in ponds of considerable size in Kentucky, and was there first noticed during the year that the "Campbellites" and "Newlights" produced their respective religious excitements, and in some portions of Kentucky where the Campbellites were holding their meetings these fish were, and are to this day, known as "Campbellites," and in other localities they are known as "Newlights."

A list of fish formerly found in the Scioto may be set down as follows: Buffalo, salmon, black bass, big-mouthed bass or pond perch, lake perch, red-horse, roach-backed black sucker, white sucker, common black sucker, mud sucker or stone-roller, white shiner, horned chub, rock bass or goggle eyes, yellow bass, white perch, yellow perch, pike, jack salmon, sunfish, and four or five species of catfish, and the spoon-bill.

The very singular fish known by the fishermen as the "spoon-bill" (Polyodon spatula) was very abundant before the erection of the State dam, but since then is believed to be extinct in this river. An engraving of this fish is in Wood's Natural History, Vol. III, page 201. At the close of the description of this fish in that work is the following significant sentence: "Several specimens of this remarkable fish are now in the British Museum, and were taken from the Ohio and Muskingum rivers;" leaving one to infer that they are not found elsewhere. Before the dam was built, fishermen inform us that pike weighing from thirty to forty pounds were not unfrequently taken here in the Scioto. The jack salmon attained a weight of from six to seven pounds, and the other salmon from eighteen to twenty pounds.

Several species of the bass family are less disposed to migrate than some other species, hence their numbers have not been so greatly reduced as others. The fact that black bass (Grystes nigricans) are taken at all seasons of the year in the rivers, and they thrive prodigiously in the reservoirs, is taken as evidence that they do not migrate to any great extent.

Deleterious substances prevent the increase of fishes. The habit of throwing all the offal and waste material from factories into the river, not only prevents the increase, but actually destroys myriads of fishes annually. The waste discharged into the river from distilleries often destroys millions of fish; the waste discharges from paper mills consist of lime and other alkalies; from woolen mills the waste is mostly refuse dye stuffs, containing acids in various chemical combinations; from tanneries, acids, etc. The gas tar from gas establishments, whilst not absolutely poisonous, most effectually destroys the flavor of the fish and unfits them for table use. The gas works in the city of Columbus discharge the gas tar into the Scioto. What effect this has upon "scale" fish we do not know, not having heard any complaint from the fishermen. During the winter of 1872–3, a large quantity of cat fish were observed stranded on the "riffles" several miles south of the city. A Mr. Fisher picked up a "two-horse load" of them and brought them into the city, and sold them within a very few hours. When cooked and brought upon the table they were found to be exceedingly unpalatable, tasting and smelling as though they had been thoroughly saturated with coal tar.

The Massachusetts Commissioners of Fisheries, in their report for 1866, say:

"To state in a comprehensive way what is the effect of certain impurities in water, is by no means easy. Even supposing the mixtures thus made [refuse from factories] to be constant and stable (which they are *not*), their effect upon different animal and vegetable organisms would be quite variable. Chemical analysis is no such great helper in the difficulty as might be supposed. A science that is still so imperfect as to call starch and sugar the same thing, and that cannot tell a good wine from bad, is hardly a reliable support in testing the fine questions of animal likes and dislikes. * * * The sole way, therefore, of arriving at any result is to make a great number of experiments upon the animals, and under the conditions required. To make such a series of experiments did not lie within the power of the Commissioners, but, to establish some main facts, a few cases were tested, as follows:

EXPERIMENT A. A young bream (Pomotis vulgaris) put in a glass of water, to which 1-200 in bulk of sulphuric acid was added, died in four minutes.

EXPERIMENT B. The same species, in a similar glass of water, to which 1-100 in bulk of concentrated solution of soap was added, died in two minutes.

EXPERIMENT C. A young shiner (Leuciscus erysoleucas) in a glass of water, to which 1-500 in bulk of chloride of lime was added, was distressed, but did not die for seven minutes.

EXPERIMENT D. A full grown shad (Alosa præstabilis) in a large tub of water, to which 1-400 in bulk of sulphuric acid was added, died almost immediately.

Experiment E. A similar fish, in a tub of water, to which 1-200 of concentrated solution of soap was added, became uneasy and turned several times on its side, but at the end of five minutes was still alive and tolerably active. Compare the effect of soap on the bream.

Experiment F. A similar fish, in a tub of water, to which 1-200 in bulk of dry chloride of lime was added, became violently excited, then exhausted, and at the end of three minutes from the beginning died from a rupture of the gill vessels.

In these experiments large proportions of the poisons were used, in order to show plainly the effect of each. What the effects would have been on salmon we cannot infer, except that we know, in general, that the trouts are more fastidious than fish like the shad, and are more easily destroyed. A shovelful of powdered quicklime thrown on the water over a shoal of trout, will bring a number of them dead to the surface within ten minutes. Many trout brooks in England have been depopulated by drains from copper mines emptying into them; the insoluble sulphurets sink to the bottom of the brook, where they decompose, giving off free sulphuric acid, which is very destructive. Saw-dust is notoriously pernicious. Its effect is mechanical, by getting into the gills and producing suffocation. Lime is as deadly to salmon as to trout; gas-works, too, are bad, and the arseniates thrown out of dye-houses are highly injurious. City sewage, unless in great quantities, will not drive them away, as is shown by salmon going up the Dee, and past the city of Chester, whose sewers empty into the river. The effect of gas-works depends, perhaps, on the details of the manufacture. In great cities, where gas is made in large quantities, the secondary products of the distillation, such as tar, coal oils, ammonia, etc., are saved and sold; but in small towns these products are allowed to run off in a drain, and are then very deleterious to fish. The Lawrence gas-house is reputed to have destroyed a shad fishery hard by, and that opposite Holyoke is said to have driven the small fish from the neighborhood; whereas the dock into which empties the drain of the Boston north-end gas-works, is noted as a good place to catch smelts (Osmerus viridescens)."

Notwithstanding the law prohibiting the use of seines in taking fish in the rivers and their tributaries throughout the State, responsible fishermen everywhere complained that the law was violated by parties who were pecuniarily wholly irresponsible, and that owing to this violation of the law, the increase of fishes in the waters of the State was not only less rapid than desirable, but that in many instances it was exceedingly doubtful that any increase whatever was perceptible. As the law now stands on the statute books, property owners whose lands abut on the rivers, or who own lands on both banks of the river, and are deeply interested in the increase of fish, are obliged to witness the catching of the finest fish by these irresponsible parties, whilst the owners themselves are permitted to fish with hook and line only. It does not accord with the prevalent ideas of humanity to imprison a person for obtaining food from "nature's preserve," especially when that "preserve" is not private property; and it will, therefore, be exceedingly difficult to frame a law which shall prevent seining, and at the same time be rigidly obeyed. It is therefore respectfully suggested that the law forbidding seining ought to be modified, and instead of an absolute prohibition of seining, limiting it to months in the year in which no spawning takes place; and the size of the meshes of the seine to be regulated by law, so as not to destroy or take fishes which have not attained maturity.

The Commissioners do not feel warranted in recommending any legislation to prevent the waste and filth from factories other than from gas establishments being discharged into streams of water, but they would recommend that sufficient means be pladed at their discretion to supply an increased amount of young fry, so that out of the great amount supplied a sufficient amount may escape so as to replace those necessarily destroyed by the poisonous waste thus introduced.

From this it will be seen that active causes are operating to reduce the quantity and thus diminish the supply of fish in the rivers, creeks and streams of the State. Even in the reservoirs and the lake the supply of

fish has very perceptibly decreased. I am assured by those who have been engaged in fisheries for commercial purposes at Lake Erie, that not more than one-twentieth of the amount of fish is now in the lake that was there twenty-five years ago. Taking fish in the pounds has operated somewhat destructively upon fish not having attained their maturity, and thus the supply is reduced more rapidly than discriminate fishing would reduce them.

RESERVOIRS.

We have a number of reservoirs which were constructed to insure a supply of water to the canals, and which are fed by springs, rivulets or small streams; and as these reservoirs are all located on the water summit in their respective regions of the State, the water, besides being ample in quantity, ought to be good and pure, because the springs or sources of supply are in no case at any considerable distance from them, and hence do not bring down from greater elevations foreign or injurious matter to impregnate the water. The areas of these reservoirs are as follows, in round numbers, viz:

Mercer county	16,000 acres	(15,742 actual).
Lewistown	8,000 "	
Licking	4,000 "	(3,900 actual).
Loramie	2,500 "	
Paulding county	2,500 "	
Akron Summit, with Rex Lake, Long Lake and the other small ones	2,000 "	
	35,000 "	

Or nearly 55 square miles. The character and quality of the water in any one of these reservoirs differs from that in all the others in a greater or lesser degree. The Summit county, Rex, Turkey Foot, Turtle, Silver, Springfield, Congress, Chippewa and Long lakes are colder, clearer and more *peaty* than the reservoirs; the Licking county reservoir is fed by streams in the carboniferous series, and is therefore a softer water than those in the western portion of the State. There is a "legend" to the effect that the water in the eastern part of Licking Summit reservoir has a depth of upwards of two hundred and fifty feet, and in midsummer the water at a depth of one hundred feet is as "cold as ice." Persons living in the vicinity assured us that the early settlers were in the habit of taking a four-gallon jug, tying a stone of considerable weight to the handle, then, with a "fish line" through the cork and a "bed cord" fastened to the handle of the jug, would proceed in a skiff to the "deep place," lower the jug to the depth of one hundred and fifty feet or more, withdraw the cork, and allow the jug to fill at that depth. All the water required for drinking and culinary purposes by several families was, for years, obtained in this manner.

The Loramie, Mercer and Paulding reservoirs are in limestone regions, and the water there holds lime and other minerals in solution to a far greater extent than that in the other reservoirs. With this variety in the quality and characteristics of our waters, it is not unreasonable to infer that there may be grown or cultivated in them a great variety of native or indigenous fishes, together with new and desirable varieties from other states or countries.

During the past summer a personal examination of these reservoirs has convinced us that unless much of the decayed timber is removed

from them, healthy fish cannot be grown in them—more especially the Loramie and Lewistown reservoirs. The fatal effects of decaying timber were so manifest two years ago at Loramie, that all those who witnessed it certainly required no further argument to convince them of the deleterious qualities of its waters. Almost all fish are liable to disease, but more especially are they liable to be attacked by parasites. The yellow perch, especially in Licking reservoir, is very subject to a small worm which lies coiled up just beneath the scales. In the summer of 1872 many tons of black bass (Grystes nigricans) were found dead in Loramie reservoir. The Loramie is full of decaying timber, and during the several years preceding 1872 there was a very low stage of water during the summer. The great abundance of decaying timber, low stage and warmth of water, seemed to form very favorable conditions for the growth and rapid dissemination of a fungus which fastened itself upon the gills, palate, and even scales of the bass, and destroyed them. A certain amount of decaying timber, or roots, snags and stumps, are perhaps necessary for the protection of fish and their natural spawn, but where this decaying timber is in excess of the normal amount its action is always destructive. A removal, therefore, of most of the timbers in these reservoirs would add greatly to the healthfulness of their waters for the growth of fishes.

So far as these reservoirs may be concerned, the increase of fishes in one of them at the expense of the State is, perhaps, somewhat problematical. Much of the land overflowed from the Licking reservoir is owned by private parties, and has never become the property of the State; and it is, perhaps, a nice question to be determined, whether the State shall, at its own expense, stock the waters of private individuals with fishes, and then permit the owners of the land to take these fishes free of expense from the State. Yet the State owns about twenty-five hundred acres of the Licking reservoir, which might be made, under proper management, to yield an income of from three to four thousand dollars per annum to the State. All the other reservoirs, so far as the Commissioners could learn, are entirely the property of the State, and there can be no hesitation, so far as propriety, at least, is concerned, to re-stock them with valuable fishes.

There is no State in the Union abounding in more or better streams for all kinds of fresh-water fishes than Ohio, and yet there is not a single State whose streams are so nearly destitute of fish. Every county, without a single exception, has a sufficient amount of water in the streams within her territory to grow a very large proportion of all the fishes required for food in the county. A summary of the area drained by the several streams may render good service in aiding one to obtain a better understanding of the extent of streams in the State:

I. The Mahoning and its tributaries drain an area of fully 2,000 square miles in Ohio;

II. The Maumee and tributaries drain a territory of fully 5,000 square miles in Ohio, besides many square miles in Michigan and Indiana;

III. The two Miamis and their tributaries drain a hydrographic basin whose area is at least 6,000 square miles;

IV. The Scioto and tributaries drain fully 5,500 square miles;

V. The Hocking and branches drain 1,500 square miles; and lastly,

VI. The Muskingum and its many tributaries, spread over nearly one-fourth of the State, drain an area of 8,500 square miles.

Perhaps it is no exaggeration to state that there is at least *one* lineal mile of water course, such as rivulet, brook, creek, river, canal, reservoir

or lake shore, for every two square miles of territory; in other words, we have at least twenty thousand miles of such water-courses in Ohio.

The basis of this estimate is partly observations in traveling over the State, and partly studies of a detailed map of the State. Fully three-fourths of these twenty thousand miles can undoubtedly be utilized for the production of fishes in some form or other, either as spawning-beds or to supply ponds or reservoirs, or else left to remain as bodies of water sufficiently large for the growth and maturity of fish. All these streams furnish a sufficient amount of natural food for all fishes which will be likely to be bred in them, whether the breeding process be artificial or natural. The fact is everywhere recognized that the quantity of fish in our streams is rapidly diminishing; and the protection of the few remaining, as well as promoting the increase by authorizing chutes or passage-ways for the ascent of fishes in the streams during the spawning season, are questions of such a practical nature that merely to state them is to argue the necessity of giving them proper attention. Some active and very energetic measures must be adopted and persistently continued, or else the present generation will pass away without realizing any of the benefits of an abundant supply of native fishes.

FISH-LADDERS, OR CHUTES.

One of the first things to be done in the propagation and protection of fish in the streams is to provide some means by which fish can pass up over the numerous dams built across the rivers in the State. On a preceding page we have shown how the existence of these dams causes the depopulation of the streams. Owners of mill-dams regard the erection of fish-ladders, or chutes, as a trespass upon their rights. In some instances it is possible that these chutes prove injurious to the dam, by being constructed so as to be a constant drain upon it, and draining daily enough water to run a saw-mill. Fish ladders may be so constructed as to be operative only when there is a surplus of water, but inoperative when there is no water falling over the dam. It is during the spring freshets that the greater part of the fish are ascending the stream for the purpose of spawning, and at such times the chutes, or ladders, may be employed without any injury to the dam.

The Commissioners would respectfully refer to the fact that at the session of the preceding Legislature the sum of two thousand dollars was appropriated for fish-chutes over the dams of the Scioto, and the Board of Public Works requested to construct the chutes. The Commissioners repeatedly invited the attention of the Board of Public Works to this enactment, but at no time succeeded in obtaining a pledge from that Board that the chutes would be made. The Commissioners would now respectfully ask that the appropriation be either placed in the hands of the Commissioners for expenditure for that purpose, or else make it obligatory upon the part of the Board of Public Works to have said chutes constructed. There are many fish-ways in operation in the Eastern States; some very cheap, and consequently, inefficient—others, perhaps, more expensive than necessary; but from all we can learn are decidedly of opinion that the improved Foster fish-way is the only absolutely efficient one that has come to our knowledge.*

*The American Sportsman states that the chutes at Columbia, Pa., and Holyoke Mass., are complete failures.

The sum of five hundred dollars will, perhaps, construct temporary chutes, or fish-ways, over ordinary dams; but to build permanently and efficiently will undoubtedly cost considerably more.

There appears to be a tenderness about fish-ways on the part of the Board of Public Works, lest these structures impair the strength of the State dams. The Commissioners are of opinion that properly constructed chutes will not only not impair the strength, but will confer additional strength, and enable the dam itself better to resist the strain of floating ice, etc. If the fish-ways are not properly constructed, they should not be put up at all. We apprehend there will be no difficulty in obtaining the consent of the lessess of the public works when they shall be fully satisfied that the fish-ways will in no wise impair the strength or efficiency of the dams.

Even after the fish-ways, or chutes, are constructed, they will be of little avail so long as parties are by law permitted to seine, and by other devices take fish in the back-waters of the Ohio. It is during the spring freshets that there is the most back-water, and that is the time when fish ascend the Ohio, and from it ascend the waters of the smaller rivers and creeks; and during this back-water time any amount of fish-boxes, traps, nets of the various kinds, and seines are employed, so much so that it may be considered as a "wonderful escape" if a single fish large enough to be contained within the meshes gets beyond the back-water. We are assured that very few fishes get beyond the mouth of the Little Miami.

HATCHING-HOUSES.

The Commissioners would respectfully suggest that an appropriation be made for the construction of a State fish hatching house, to be located somewhere in the vicinity of Sandusky City or the islands thereabouts, at such a point or place as may be most appropriate, and upon such land as may be owned by the State or the United States. There is no necessity of the building being very expensive. A building 20 by 50 feet on the ground floor, two stories high, will be amply sufficient for all purposes of spawning the parent fishes, hatching the ova, packing and shipping the ova to such points as may be desired. But the hatching department should be of such ample space as to permit the hatching of at least several millions of fish at once. And it should be so constructed that the facilities for hatching can be augmented without increasing the size of the building; this house to be devoted exclusively to hatching white fish, and such other lake fish as may be desirable.

Then another hatching-house should be erected at some one of the reservoirs for the entire State, for the rivers, creeks, and other reservoirs. There is no necessity for the inland hatching-house to be as large as the one on the lake shore. A sufficient appropriation is desirable to put up a temporary building at some one of the reservoirs early in the spring, so that the artificial hatching might be commenced the present spring, and the building on the lake and reservoir for permanent use should be put up during the summer, or during the year, so as to commence the artificial spawning and impregnation of white fish during the close of the season, or through the autumn months. There is no good reason why, with these buildings, and fishes artificially hatched, the price of white fish and black bass should at any time exceed three or four cents per pound, thus placing them within the reach of all classes in the State, and not causing them to be regarded as luxuries to be enjoyed by the wealthy only.

PRACTICABILITY OF FISH-HATCHING.

Artificial propagation of fishes was known to the Chinese thousands of years ago, and was undoubtedly known to other nations, but the art was lost, and remained lost until it was re-discovered by a French fisherman, Joseph Remy. He discovered that the ova or spawn was not impregnated when deposited, but was subsequently fertilized. Profiting by this discovery, he sought to turn it to practical account by re-stocking the fisheries over which he had control, and the most complete success crowned his efforts.

The modern phase of pisciculture is entirely a commercial one, which as yet does not lie in imparting fanciful flavors to the fish—although, if such were wanted, it might easily enough be accomplished—but has developed itself, both at home and abroad, in the replenishing of exhausted streams with salmon, trout, or other kinds of fish. The present idea of pisciculture, as a branch of commerce, is due to the shrewdness of a simple French peasant, who gained his livelihood as a *pecheur* in the tributaries of the Moselle, and the other streams of his native district, La Bresse, in the Vosges. He was a thinking man, although a poor one, and it had long puzzled him to understand how animals yielding such an abundant supply of eggs should, by any amount of fishing, ever become scarce. He knew very well that all female fish were provided with tens of thousands of eggs, and he could not well see how, in the face of this fact, the rivers of La Bresse should be so scantily peopled with the finny tribes. Nor was the scarcity of fish confined to his own district; the rivers of France generally have become impoverished, and as in all Catholic countries fish is a prime necessary of life, the want, of course, was greatly felt. Joseph Remy, above referred to, was the man who first found out what was wrong with the French streams, and especially with the fish supplies of his native rivers—and better than that, he discovered a remedy. He ascertained that the scarcity of fish was chiefly caused by the immense number of eggs that never came to life, the enormous quantity of young fish that were destroyed by enemies of one kind or another, and the fishing-up of all that was left, in many instances, before they had an opportunity to reproduce themselves—at any rate, without any care being taken to leave a sufficient breeding stock in the rivers—so that the result he discovered had become inevitable.

His experiments were so instantaneously crowned with success as even to be a surprise to himself; and in order to encourage him and Gehin a coadjutor he had chosen, the Emulation Society of the Vosges voted them a considerable sum of money and a handsome bronze medal. It was not, however, till 1849 that the proceedings of the two attracted that degree of notice which their importance demanded, both in a scientific and economic sense. Dr. Haxo, of Epinal, then communicated to the Academy of Sciences, at Paris, an elaborate paper on the subject, which at once fixed attention on the labors of the two fishermen—in fact, it excited a sensation both in the Academy and among the people. The government of the time at once gave attention to the matter, and finding upon inquiry, everything that was said about the utility of the plan to be true, resolved to have it extended to all the rivers in France, especially to those of the poorer districts of the country. The artificial system of fish-breeding was, by this mode of action, rapidly extended over the chief rivers of France, and added much to the comfort of the people, and in some cases little fortunes were realized by inteligent farmers who appreciated the system,

and had a pond or stream on which they could conduct their experiments in safety.*

The following is from a report made by M. Coumes, engineer-in-chief of the works on the Rhine, and also of those at Huningue, near Basle:

"The French goverment has been engaged in discovering and maturing the utility of pisciculture, and a report was made in 1850 showing the advantages to be derived from artificial propagation. M. Coste then demonstrated that the re-stocking of the rivers of France with fish, and the acclimatization of foreign species, was a work of public utility, and proposed to establish the institution at Huningue, near Basle, and which was commenced on the 5th of August, 1852.

"The capabilities and influence of this establishment have opened a new field of enterprise on a large scale, and promoted by government, was placed under the state administration of the roads and bridges, with the view of increasing the supply of food to the people. On the 5th of October, 1852, the arrangement of the works at Huningue was agreed upon by Messrs. Coste, Berthat and Detzen, upon a surface of thirty-five hectares (about seventy acres), with an abundant supply of spring water, with a temperature of 10° cent., with an additional supply from other streams. The experience of 1853 and 1854 confirmed the preceeding experiments, both with regard to artifical propagation and the transportation of ova. In 1854 suitable buildings were erected, with ponds and other requisites. Ponds were made for the reception of each species of fish to be propagated for re-stocking the rivers and canals, and for the supply of individuals

"M. Coste was instructed to make further experiments, and to publish annual reports upon the collection and distribution of ova, and as to the results obtained at the College of France. The object in view was to stock the rivers with fish by the introduction of ova and young fry of the best kinds and those of rapid growth—salmon, trout, ombre-chevalier, fera, hench, alose, sturgeon, the steriet and silure. The operations on such species of fish as spawned in winter succeeded at once, whilst great difficulties attended the impregnation and transport of the ova of the other kind that spawned in the spring and summer. The ova are collected and impregnated at remote places; they are then conveyed to Huningue and partly hatched, after which they are packed, forwarded and distributed to such rivers as may require a supply. For the past two years the establishment has also distributed young fry, by way of experiment, but this mode cannot be greatly extended, owing to the increased expense and difficulty of transit."

Up to the season of 1863-64 the total number of fresh water fish-eggs distributed from Huningue was above 110,000,000, and nearly half of these were of the more expensive, and therefore more desirable, kinds of fish, there being upwards of 40,000,000 eggs of the salmon and trout.

The French government claims all the navigable rivers, streams and canals, and consequently claims the rights of fishing them, but the privilege of fishing can be purchased from the government for a small sum; those employing nets, however, pay from five to twenty-five dollars per annum. The streams which are not navigable are the property of the parties through whose lands they flow, or against whose lands they abut; but these private fisheries are leased as well as those of the empire.

The following will give an idea of the value of the French inland fisheries:

	Value of Fish.
4,719 miles of navigable rivers	$115,125
3,105 miles canals	29,225
310 miles estuaries of rivers	230,700
930 miles private rivers and canals	13,500
114,889 miles rivers and streams not navigable	740,000
493,750 acres of lakes and ponds	2,000,000
Total value of fish	$3,013,200

Mr. Frank Buckland, quoting a Mr. Brown, says:

"The question that now remains to be considered is: 'Has the artificial propagation,

* Bertram's Harvest of the Sea.

even on the small scale that has been carried on at Stormontfield (Scotland), been of advantage to the fishery proprietors of the Tay?' We have do doubt on the matter, for on referring to a statement of the rental of the Tay, published by the proprietors themselves, we find that in the year 1828—the year of the passing of Home Drummond's act—the rental was £14,575=$72,875 It gradually fell off every year afterwards till 1852, when it reached the minimum, amounting to £7,973.5*s*=$39,886,25. In 1853 the artificial rearing commenced, and in 1858, when the statement was printed, the rental was £11,487 2*s* 5*d*.=$57,435.60. [I have an unofficial statement, obtained in Scotland in 1865, showing the rental of 1864 to have been upwards of £17,000=$85,000.—KLIPPART.]

It has now (1872) reached what it was in 1828. We are aware that other reasons are given for the rise in the rental, such as the extra price of fish in the London market, but we should like to know how it happens that all the other rivers in Scotland (with the exception, perhaps of the Sutherland rivers), which have the same market for their fish, have, since 1852, had a lower rental, instead of an increased one."

By a reference to a late report of the salmon fisheries of England, we find that—

"This important branch of national industry had, it is will known, fallen into almost absolute decay ten years ago, and yet so prolific has been the produce of the salmon fisheries, with careful cultivation, that last year the annual value was estimated, for England and Wales alone, at from £100,000 to £150,000 ($500,000 to $750,000).

"The Irish inspectors of fisheries in 1870 reported that they did not think they exaggerated the value of salmon fisheries (of Ireland) when they estimated them as being worth over £400,000 a year; and, to turn to another part of the Kingdom, a calculation of the value of the salmon fisheries in Scotland, made by a special commission appointed to inquire into the subject, placed it at £300,000 a year. Thus this one branch of the fisherman's calling produces, in one kind of the fish alone, on good authority, more than £850,000 a year, and this value is annually increasing."

The Commissioners of Massachusetts have been engaged since 1865 in the artificial propagation of shad and salmon, and the results of their labors are to this extent, that the price of shad has declined from eighteen dollars per hundred in 1866 to three dollars per hundred in 1872.

Mr. Hudson, writing of the year 1872, says: "Shad were more plenty and cheaper this year than ever. The New York market was so completely glutted with them that the dealers refused to receive more than a certain number at any price."

Everywhere where artificial propagation has been attempted by competent and skillful persons, success has invariably crowned their efforts. It is, therefore, no longer a matter of experiment, but, on the contrary, is an absolute and fixed fact.

ARTIFICIAL IMPREGNATION.

The process of artificial impregnation is as follows: Having placed on a table or other convenient place a perfectly dry porcelain or other non-corroding dish, then immerse the hands in water, and hold the female fish with, say the left hand, the pressure of the hands being immediately behind the gills; hold the fish upright; some ova may escape by the action of gravity and muscular contraction. Dip the right hand in water and clasp the body of the fish in such a manner that the thumb may be gently pressed along the abdomen. If no eggs are extruded by a gentle pressure, replace the fish in its element, because either it is not sufficiently ripe or else is diseased. Never handle a breeding fish with *dry* hands, for the reason that the glutinous covering of the fish adheres to the dry hands, to the very great and absolute injury to the fish. But when the fish is fully ripe the eggs extrude with a very gently pressure. In no event must the abdomen be *squeezed*, because squeezing might rupture the air-bladder or injure other of the viscera. When the abdomen

has been emptied of all the eggs, then seize the male and treat him in the same manner that the female was treated. A single drop of milt or spermatic fluid will be the result of this process. The milt should be dropped from the body of the fish on the eggs or ova directly, and as soon as the milt is dropped, pour sufficient water to cover the eggs and stir them with a quill, glass rod, or tail of the male fish. Some operators place water in the dish before commencing with the female. For myself [Klippart], I have always succeeded be ter by permitting the eggs to be deposited dry, and for this reason, viz., in less than five minutes the eggs will have absorbed all the water they can contain, and then cannot be impregnated, but if left dry may be kept fifteen or twenty minutes in the open air, when in a perfectly dry dish, and not lose the susceptibility of impregnation. The male is often exceedingly difficult to manage, and if the eggs are in the water, the five minutes may elapse before the milt reaches them. On the other hand, if the milt is placed in a perfectly dry vessel—as a small vial—and corked up air-tight by tying a piece of bladder over the cork, it may be sent from St. Louis to Boston by express without having its virtue impaired. We have very reliable accounts from Mr. Frank Buckland, in England, that salmon eggs were artificially impregnated, then packed in boxes, in moss, and these packed in ice, and so shipped to Australia, where a very respectable proportion of the eggs were hatched, and Australia waters are rapidly being peopled with the salmon. The matter of breeding being thus entirely under the operator's control, man has learned that it is possible to hasten or delay the period of spawning for several weeks, if not for months, according as circumstances may render it desirable. But the great advantage of artificial impregnation over the natural method is this, namely, by the natural method not more than one tenth of all the eggs deposited by the female are fertilized, whilst by the artificial process it is possible to fertilize every egg. Then, by the artificial process, *ten* eggs may be hatched where *one* only is hatched by the natural method, for the reason that by the artificial method the eggs are secured and guarded from depredators of all kinds, and as soon as a *byssus* appears it is removed before in can attach itself to other eggs and destroy them. It is a difficult matter to ascertain the number of eggs deposited by the female of the different species of fishes, but none deposit perhaps less than a thousand, except the brook trout. The following is a record of the number of eggs deposited by the several kinds of fishes, which we find copied into several works on pisciculture, and do not know on what basis it rests, but we must be permitted to say that it is hazardous to accept a single instance as establishing the rule, so far as regards the quantity of eggs:

	Eggs.
Yellow perch, weighing 3½ ounces, gave	9,943
White fish, weighing 2 pounds, gave	25,076
Herring, weighing 5¾ ounces, gave	265,650
Roach, weighing 12 ounces, gave	480,480
Shad	25,000
Brook trout, weighing 8 ounces, gave	600

It is much to be regretted that data was not accessible giving at least the approximate number of eggs usually deposited by each species of fish. It is not exaggerating to state that very considerably less than one-fourth of the eggs deposited by any fish are impregnated, or in a condition to be hatched, provided they were not exposed to any subsequent hazard. They are liable to be eaten by other fish, by ducks, and other

water-fowl, as well as several reptiles. Then, after being hatched, the young fry become food for larger fishes, kingfishers, muskrats, minks, and various other carnivorous "birds and beasts," so that nothing is hazarded in asserting that of all the eggs deposited and fertilized in the natural way, not more than one egg in every hundred may be relied on to produce a fish that will attain maturity; but by the artificial process, when in skillful hands and with the proper surroundings at command, ninety out of every hundred eggs hatched may attain maturity; or, in other words, as many fishes may be produced in one year by the artificial process as there possibly can be in ten years by the natural method. A hatching-house and rearing-pond established at one of the six principal reservoirs, would be ample to supply not only the reservoirs and head-waters of the streams in the vicinity of the reservoirs with eggs or young fry, as well as to meet the demand from private parties for fish-ponds on farms or pleasure grounds, but also for exchange with other States. The hatching-house should be located in such a manner that one of the small streams flowing into the reservoir may be made to pass through it. The structure itself may be made on a very cheap plan; at the same time it should be a house containing some five or six rooms, none of which, except the hatching-room proper, need exceed ten by fourteen feet, with convenient halls.

The following list of fishes, together with the period of spawning, we find in several works on pisciculture written in New York and in New England, and are led to believe that the periods are calculated for a latitude more northerly than northern Ohio. During the past fifteen years the wheat harvests in Ohio have ripened (commencing at the south and traveling northward) at the rate of sixteen miles per day of twenty-four hours. Now if fish eggs mature as rapidly as the wheat ripens, there will be no difficulty in at least approximating the time when each of the species will be ready to spawn in the several regions of the State: Perch Pike (Lucioperca Americana), last of April and first of May; Pike (Esox reticulatus), last of April and first of May; Yellow Perch (Perca flavescens), April and May;* White Perch, June; Roach (Pomotis appendix), May; Sunfish (Pomotis vulgaris), May; Sucker (Catostomus), May; Rock Bass (Centrarchus æneus), May; Bottom Pike (Lucioperca *var*), May; Mullet (Catostomus), June; Black Bass (Grystes nigricans), June; Hornpout Catfish (Pimelodus), September; Trout in brooks (Salmo fontinalis), October and November; Trout in artificial ponds (Salmo fontinalis), February and March; White Fish (Coregonus albus), October and November.

[We would here remark that there is very great confusion as yet in the classification of fishes, and, so far as we can learn, no two authors have adopted the same classical names throughout; hence there are a greater number of classical synonyms in the nomenclature of fishes than any other department of Natural History.]

SPECIES RECOMMENDED.

Now of the entire list of fishes in Ohio, there are but two or three, or at most four, whose propagation by artificial means we would at present specially recommend. These are the white fish of the lake, the black bass, the lake or white bass, and yellow perch. These are, with the exception of

* This fish was ready to spawn in the Licking reservoir on the 4th of March, 1874—KLIPPART.

the yellow perch, peculiar not only to America, but one may even say, to the United States. They are not found anywhere in Europe; therefore any experiments that have been made in artificial breeding or fish culture abroad may not apply to those in Ohio. Especially the systems adopted for the artificial propagation and culture of fishes requiring salt water, such as shad, salmon and mackerel, of course will be inapplicable to Ohio in the present state of knowledge of fish culture.

WHITE FISH.

Of all fresh-water fishes in the world, the white fish of our lakes stands at the head of the list. Its tenderness, its flavor, and its always being in condition, render it unsurpassed by any other fish. That it may be bred artificially, is demonstrated by the fact that Mr. Hoyt, of Castalia Springs, near Sandusky, Ohio, succeeded in hatching several thousand of them, as well as by the following from the Maine Commissioner's Report for 1870:

"In November, 1868, a number of white fish eggs were laid down in the hatching-troughs for experiment. In the following March and April a large number of young fry made their appearance. The difficulties attending the incubation and after care of the white fish are somewhat greater than with the salmon, on account of the minuteness both of the egg and the young fish after emerging from the shell. The egg of the white fish when first laid is a little over one thirty-second part of an inch in diameter, but in a short time increases to nearly one-eighth of an inch. The little fish when first hatched out is about three-eigths of an inch, almost transparent, and having a small umbilical sac attached to its body filled with a transparent oily fluid, upon which it wholly subsists for about three weeks, at which time it becomes absorbed. The salmon lies prone upon his side during absorption of the sac, while the young white fish, on the contrary, immediately after emerging from the shell, begins swimming about rapidly, and apparently rests neither day nor night. Every effort was made to find out the proper description of food for these little creatures, but without success; the consequence was, they dwindled away and died. I therefore felt much discouraged and disappointed at this unfortunate result of my first experiment. An accident, however, gave me the information that all my investigations had failed to elicit. It happened that a few of these minute creatures had managed to escape through the fine wire gauze screen, and passed down through some pump logs into a small pond, in which they evidently found food which suited their nature, as they grew rapidly and soon became beautifully developed young fish. In the pond into which the young fry had escaped, I had, about three years before, placed some roots of an aquatic plant, which grew vigorously, spreading itself all over the bottom of the pond. The fibrous parts of this plant were covered with a small crustaceous insect, upon which I frequently noticed the young fish feeding. I placed some of these little fish on exhibition at the Provincial Show at London, in September last, where they attracted much attention. They were then about five inches in length. Others, in December, had obtained the length of seven inches, and were beautifully formed."

Seth Green, of New York State, has succeeded in hatching the white fish artificially, but was obliged to procure ova at Detroit, Michigan, and transport them to Caledonia, New York, to the State hatching-house. Various other persons have succeeded in hatching the ova of white fish, but, unfortunately, chiefly in ponds where the water was not active, and where there was no food for the young fry, consequently they perished.

In his report on the zoology of Ohio in 1838, Professor Kirtland says of the white fish: "The white fish, though frequently taken in the lake within the limits of Ohio, is not found there in numbers sufficient to render them of much value." In 1850 they sold in Cleveland market for $6.00 per barrel of 200 pounds, barrel included, so very abundantly had they become. Since then, just off Sandusky Bay, as much as eight tons of these fish have been taken at a single drawing of a pound.

The fish trade of Sandusky—and it is chiefly white fish—is approximately as follows, from nine firms who are engaged in the business,* and which, by judicious management, may be increased seven if not tenfold:

Spring trade of 1870	3,024,370	pounds.
" 1871	2,897,365	"
" 1872	1,813,055	"
Total	7,734,790	"
Average spring trade	2,578,263	"
	1,289	tons.
Fall trade of 1870	7,560,550	pounds.
" 1871	4,666,580	"
" 1872	5,585,885	"
Total	17,813,015	"
Average fall trade	5,937,672	"
	2,968	tons.
Average tons per year for three years	4,257	"

The white fish, notwithstanding many assertions to the contrary, is a migratory fish. It is caught in the pounds in the vicinity of Point au Pelee, some days before it is taken at the mouths of the Huron and Vermilion rivers, or the vicinity of Kelly's Island. Then, too, every fisherman is well aware that there are periods of the year when no white fish are to be found in Lake Erie; at least all efforts up to the present time to find them have been unavailing. These fish go southward or to the south shore of Lake Erie, or rather seek the shallowest water in the lake, in the months of September and October. They spawn during the months of October, November and December, and return northward or to the deep waters at a later period. The probabilities are that their retiring place for late spring, the entire summer and early autumn is deep water, and it is not improbable that they go as far north as Lake Superior to find the proper depth. The spring fishing at Sandusky comprises very few white fish.

As the white fish does not bite at any bait, it is therefore concluded that he is a vegetable instead of a carniverous feeder. Several years since, a committee appointed by the Chicago Scientific Association made experiments in Lake Michigan for the purpose of ascertaining upon what the white fish really feed. It is a notorious fact that nothing other than a jelly-like substance is ever found in the intestines of the white fish taken in the pounds, and this has always been held to be food in a state of digestion, so that the form of the food at the time of swallowing it could not be ascertained. At the same time another fact must be borne in mind, that all fishes fast during their spawning season—they do not take any kind of food.

* Since the publication of this report, I regret to learn that these statistics do not represent the fisheries in the vicinity of Sandusky, but include the catch at the mouths of Vermilion and Huron rivers, as well as a large proportion from Point-au-Pelee. The Sandusky fish dealers keep an account of the aggregate of the trade, but not of the locality whence the fish were taken. Some years ago there were upwards of a hundred fish pounds in the area embraced between Kelly's Island, Marblehead, inlet of Sandusky bay, mouth of Vermilion river, to Kelly's Island; now (1874) there are less than a dozen fish pounds in the same area.

The Chicago committee succeeded in taking several white fishes which had just swallowed their normal food, found in the bottom of the lake, and when removed from the stomach of the fish was found to be a very young crustacean; hence white fish are supposed to feed on young crustaceans, which, in the jelly-like state, fasten themselves often on the steams of water-plants, and often are found on the bottom of the lake. As they are at not all predatory, that will readily account for their not biting at any bait.

Some have expressed a desire to have the Otsego bass introduced into Lake Erie. In comparing the white fish with the Otsego bass, the Commissioners for New York State say:

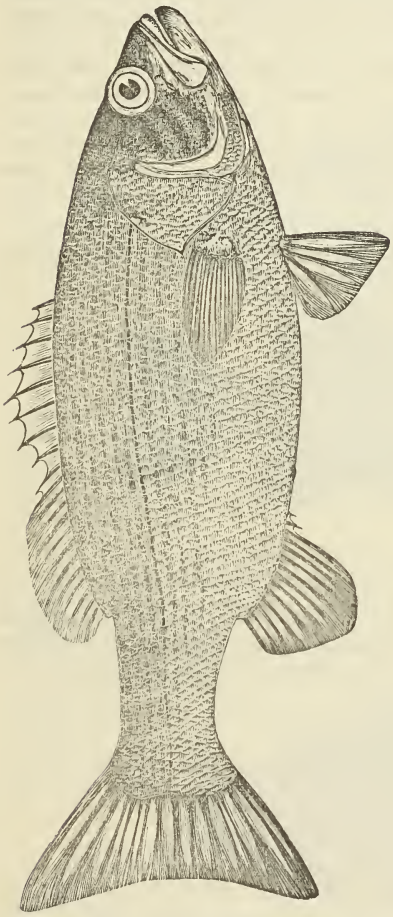
"Some of the fish were sent to the Commissioners, who examined them very carefully, and compared them with the white fish, and they seemed to them identical. The fins are precisely alike in shape, position, characteristics and number of rays. The mouth and teeth are similar, the lateral line and the size and disposition of the scales are alike, and the gill-covers differ no more than a fish of the same species differ among themselves. The shape is slightly deeper in the Otsego bass, which is due, probably, to higher feed, and the color is quite dissimilar, being much darker and steel-like in its shade and hue; so also are the fins duskier, and the rays more marked, but no essential characteristic differs. Color, as is well known, changes under the influence of water, shade, bottom and food, and is no positive indication of the species; and even the other traits may admit of a slight modification, precisely as men have various countenances and figures, but the essential points are similar. These species, if they may still be called two varieties, as they have heretofore been considered, belong to a sub family of the *salmonidæ*, and are called *coregonus* They do not take bait, their mouths being exceedingly small and unsuited to a predaceous life, and they have no teeth visible to the eye. They are totally dissimilar from salmon and trout, although possessed of the distinguishing mark of this genus, the second adipose dorsal fin; and their mode of life is as different as their appearance. Salmon and trout are very predatory, having large jaws, armed with formidable teeth, and devour their smaller brethren, and are piscivorous and aggressive in the highest degree, whereas the weak-mouthed, toothless white fish is even unable to defend itself against its enemies, and finds its security probably by hiding in the deep water which it mostly affects. It is taken in nets in considerable quantities in certain seasons of the year, and only resembles its congener in the time and mode of depositing its spawn and hatching its young. Its flesh, moreover is also distinct, although equally delicious, being rated by epicures, when the fish is fresh, as above that of any other species, except, perhaps, the Spanish mackerel, which undoubtedly, when in fine order, ranks at the head, in a gustatory point of view, of all the piscatory tribes. Instead of the reddish flesh of the salmon or trout, with the creamy layers of fat between the flakes, it has a soft, white, delicate flesh, which almost melts in the pan or the mouth. The flavor is exceedingly delicate, and as food it is rich and satisfying. In all these matters no distinction is to be made between the white fish and the Otsego bass, and we believe that the distinctions which have been heretofore supposed to exist, have come from a want of thorough comparative examination. It is true that the Otsego bass are handsomer than the white fish, but not more so than the white fish of the freezing water of the Sault St. Marie are firmer and handsomer than the same fish taken from one of our warmer eastern lakes. We are confident that any white fish put into Otsego lake will become Otsego bass in a short time."

BLACK BASS.

It may be well to state, at the outset, that the reason why the black bass alone is recommended for the reservoirs and streams is this, that there are other predatory fishes now abounding in these waters that are amply able to protect themselves, and whose disappearance from the waters would, perhaps, be no disadvantage. If the more predatory fishes are removed, or their numbers diminished, then other and less predatory fishes will take their place.

The black bass is to the fresh-water fishes what the shad is to the salmon in the salt-water fishes; that is to say, he ranks next to the white

fish, or best of fresh water fish. To the sportsman he is really a game fish. The flesh of the bass is all that the epicurean could desire. He abounds, not only in the lake, but in the reservoirs and in the rivers of the State, and is truly at home in either of these various kinds of water. That he is a predatory fish, cannot be denied. The Maine Commissioners say of this fish:



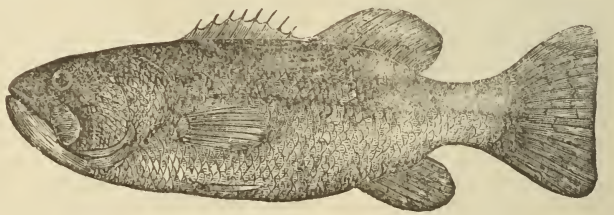
Black Bass.—Grystes *nigricans;* Grystes *fasciatus;* Cichla *fasciatus;* Micropteris *nigricans;* Centrarhus *fasciatus.*

"Regarding the black bass (*Grystes nigricans*, Agass.) we have collected some information. It is a very common species in all of the Canadian lakes, except Superior, and on the St. Lawrence river, Lake Champlain and its tributaries. It is also found in several localities in the interior of New York, and has been introduced into some of the waters of Connecticut, Massachusetts and New Hampshire. From S. T. Tisdale, of East Wareham, Mass., we have the following: 'They were introduced to the waters of this region by myself, in 1850, 1851 and 1852, to the extent of some two hundred, with which I stocked some ponds in this vicinity. They were procured at Saratoga Lake, N. Y., and brought here. For some five years all fishing for them was discouraged, after which they were caught in great abundance, from two to four pounds in size, and are now caught, in the season for fishing, of similar size, with a few of larger size—five to seven pounds; the largest yet known to be caught weighing seven and one-half pounds. Incessant fishing has depleted the supply somewhat; still our pond afforded a good supply last year. The season for taking them is confined from June 1st to December 1st, with stringent law for any violation. They spawn in May, in four to ten feet depth of water, excavating shallow basins, where they remain protecting their spawn and young until able to provide for themselves. They will increase as rapidly as perch, and as a table fish and affording sport in their capture rank first class. They are now taken in two of the ponds first stocked; others were stocked, but being smaller are not so much fished. I stocked a lake in New Hampshire last May, taking twenty-one fish from one of my ponds, and sending them to their destination. This number, or even less, will stock any large water so that in a few years the result will be satisfactory. My plan is to catch the fish, keep them in tanks or cans until they are hardened, then forward. The success of introducing black bass into the waters of New England is a fixed fact. The first experiment was made by myself, and some twenty-five ponds in this county have been stocked from their progeny.' As an article of food, the black bass has an excellent reputation; his game qualities are among the first; we cannot doubt that he would thrive in most of our waters, and would be a decided advance on yellow perch and pickerel. Yet he has some bad characteristics. He belongs to the perch family, and, like the yellow perch and striped bass, is very voracious. He would feed, to a great extent, on other fishes; and would not confine himself to devouring worthless species, but would prey upon young trout, salmon, smelts, white perch, shad, alewives, and any kind that he could catch. Very likely he would prove as great an enemy to trout as is the pickerel—perhaps greater."

The ova of the black bass have never yet been artificially impregnated. This variety has been artificially reared, however, by having the eggs de-

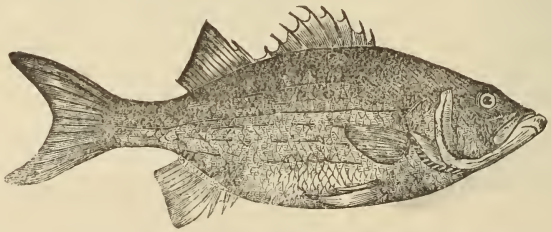
posited in natural manner by the female, and then secured and hatched artificially. There is no doubt that these eggs can be obtained in the artificial manner as well as those of the white fish and other fishes, but for want of full information and experience, parties have always failed in obtaining them.

The Fish Commissioners of Massachusetts have undertaken to supply parties with the ova of the black bass, and have, to great extent, succeeded. The fishes grown from these eggs have given great satisfaction, and the fish itself continues to increase in popularity, being, from all accounts, a new fish in eastern waters, at all events the ova were all obtained in western waters. The commissioners report that the black bass is regarded as quite an acquisition, for two reasons: first, for his own flesh, and game qualities; and secondly, for his rapacity in destroying pickerel.



YELLOW POND PERCH.—Grystes megastoma, *Garlick;* Micropteres megastoma, *Cope.*

This fish is known as the pond perch, or yellow bass, in the Scioto and Miamis; in and about Lake Erie it is known as the large-mouthed bass. In quality for the table it is by no means inferior to the black bass.



Labrax multilineatus; White Bass of the lake, or White Perch of the lake.

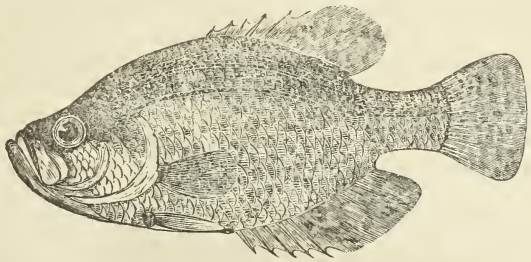
The yellow perch, if protected for some years, will, in all probability, increase sufficiently rapid to meet the ordinary demands, without requiring any experiments or attempts to increase their numbers by any artificial process. It is an excellent fish for ponds.

GRASS BASS.

In the American Sportsman of February 28, 1874, is a communication from Prof. Kirtland, in which he says:

"The grass bass has not hitherto been deemed worthy of consideration by fish culturists; yet, from a long and intimate acquaintance with its merits, I hesitate not to pronounce it *the fish for the million.* It is a native of our western rivers and lakes, where it usually resorts to deep and sluggish waters; yet, in several instances, where it has

found its way into cold and rapid streams, and even small-sized brooks, by means of the constructing of canals or by the hand of man, it has adapted itself to the change, and in two or three years' time stocked to overflowing the new locations. As a pan-fish for the table it is surpassed by few other fresh-water species. For endurance and rapidity of increase, it is unequaled. Its weight will vary with age, the quality of the water, and the feeding ground, and average from half a pound to two or more pounds. * * * The grass bass is perfectly adapted to stocking ponds. It will thrive without care in



GRASS BASS.—Centrarchus hexacanthus.

very small ponds of sufficient depth. Another inportant fact may be added: it will in no wise interfere with the cultivation of any number of species, large or small, in the same waters. It will live harmoniously with all others, and while its structure and disposition restrain it from attacking any other but very small fry, its formidable structure of spinous rays in the dorsal and abdominal fins will guard it against attacks of even the voracious pike."

The buffalo, red-horse sucker, white-horse sucker, black-horse or Missouri sucker, are fishes much better adapted to rivers, or at least for waters having a current, than for reservoirs or the lake. The Missouri sucker is undoubtedly the very best of *catostomas* or sucker tribe, at the same time none of these just enumerated can rank above a third-rate fish.

The white perch of the Ohio and its tributaries is not the sheeps-head of the lake, the classification of Prof. Kirtland and others to the contrary notwithstanding. The river white perch is very palatable, flesh much more savory and tender than his brother (?) of the lake. The sheeps-head is difficult to cook, and very unsavory when cooked.

PICKEREL (PIKE.)

The New England Commissioners recite the following account with regard to the pickerel, which is by them regarded as a worthless fish for the table: "The pickerel, like all bad characters, makes a worse show the more he is studied. Dr. E. T. Sturtevant investigated their powers of eating in the following manner: He put two young pickerel, about five inches long, in a trough with a great quantity of little minnows, cyprinoids, of about one inch in length. These two pickerel ate one hundred and twenty-eight minnows the first day, one hundred and thirty the second day, and one hundred and fifty the third, and they increased one inch in length in forty-eight hours. They were mere machines for the assimilation of other organisms."

Elsewhere the Commissioners state that there is not a pickerel weighing two pounds that has not eaten ten dollars' worth of better fish than himself. Hence it is by no means advisable to encourage the culture of pickerel. Mr. Livingston Stone, one of the Massachusetts Commissioners, found the pickerel ripe in the beginning of May, and he adds as follows: "To its other disagreeable and contrary qualities, it adds the tendency to multiply females, whereby the spawn crop is increased

Among many individuals examined last spring it was rare to find a male any oftener, certainly, than one in fourteen. Their growth seems to vary much according to temperature." He then gives a table of observations, from which he concludes that at the end of one year the pickerel is about five inches in length, and weighs one and a half ounces; that at the end of six years it is twenty inches in length, and weighs forty ounces.

NEW VARIETIES.

SHAD.

Many persons have expressed a great desire to have the eastern shad (*Alosa præstabilis*), salmon (*Salmo salar*), and brook trout (*Salmo fontinalis*) introduced into the Ohio waters. The Commissioners are of the opinion that any experiment having for its object the ultimate domestication and acclimatization of the shad in the waters of this State, whether lake or river, would terminate in disappointment. There is no record of shad culture succeeding when deprived of access to salt water. Fish are known to traverse great distances, yet it is exceedingly doubtful whether shad would traverse the distance from any of the tributaries of the Ohio in this State down the Ohio and Mississippi to the Gulf of Mexico, and then in a few months return to these tributaries to spawn.

The culture and artificial propagation of shad in the New England States, New York, New Jersey and Pennsylvania has been eminently successful; but in those States the distance from salt water, where they are spawned and hatched, does not much exceed the length of the Ohio canal.

The white fish and black bass being indigenous, the former in Lake Erie, and the latter in the lake, small lakes, reservoirs and rivers in this State, and either of them the "*peer*" of the shad when on the table, the Commissioners do not deem it advisable to make costly or expensive experiments in attempts at shad culture until the waters are fully supplied with the white fish and bass.

SALMON.

Immediately after the appointment of this Commission, Prof. Spencer F. Baird, United States Fish Commissioner, tendered to Ohio 100,000 eggs of the salmon to be hatched in the waters of Ohio. Not being authorized to incur any expenditure for the introduction of fishes not native to the State, it was with great regret that we permitted this opportunity to pass unimproved. Mr. Hoyt, of Castalia Springs, succeeded in hatching some thousands of salmon, and when seen by the Commissioners in July last, they were apparently in excellent health. There is a record that salmon may be acclimated so as to pass their entire lives of many years in fresh water, and without at any time visiting salt water.

A remarkable account has been given (April, 1859) by Dr. Clognet to the Paris Societe d'Acclimation, of the results of an attempt to keep salmon in fresh-water ponds having no communication with the sea. The experiment was made near St. Cloud, where M. Coste has successfully carried on piscicultural operations on a very extensive scale. The pond chosen for the experiment in question is of small extent, and is supplied by a small stream of fresh water, sufficient to form a cascade.

In 1854 the pond was entirely emptied and cleaned out In April and May, 1855, several thousand salmon, only two months old, were placed in the pond with trout, and notwithstanding the voracious nature of the latter fish, the salmon have prospered so well that a few years ago, in the presence of the Emperor, who took great interest in the artificial propagation of fish, no less than four hundred pounds weight of salmon was caught by one haul of a net. This result is very surprising, but M. Coste states that he was far more astonished to find that the female salmon were full of eggs! He adds that he saw several eggs so highly developed that they were on the point of being emitted. These results, which bear the stamp of high authenticity, prove that salmon may be produced and reared in fresh-water ponds under similar circumstances to those by which trout are now so successfully multiplied in various waters around Paris.

It is perhaps advisable, in case hatching-houses are erected, to obtain some salmon ova, and make the experiment in some stream connected with deep water, as, for instance, some tributary of the Cuyahoga, in the vicinity of Akron, some of the head-waters of the Blanchard or Auglaize, or, as Licking reservoir is undoubtedly the deepest reservoir there is in the State, salmon might be hatched in some streams flowing into this reservoir.

TROUT IN OHIO.

Many letters have been addressed to the Commission making inquiries relative to trout-hatching and rearing in the State. The carboniferous, (coal) region in Ohio is very broken, so far as the surface of the country is concerned. There has been no displacement of rock by earthquakes or volcanic action, but the hills have been formed by the erosive action of running water. Many of the hills rise to a height of three hundred to four hundred feet above the level of the plain or valleys at their base. Perennial springs issue from these hill sides, especially where there is an out crop of fire clay, shale, compact sandstone, etc. Where these springs flow in the shade, and from brooks which are shaded, so that the temperature will not exceed say 56°, in such brooks, where there is a rocky or gravelly bed, trout may be grown.

The trout requires not only cold water, but requires the water to have a current; therefore it may be concluded, in advance of any experiment, that the culture of trout cannot be successfully conducted in connection with the reservoirs or artificial ponds of stagnant water.

Mr. Hoyt, of Castalia Springs, has erected a small hatching house at the springs, and within the past three years has hatched upwards of fifty thousand trout, all of which were in good health, and of thrifty growth, notwithstanding the water itself is so strongly impregnated with lime that articles placed in the spring are in a comparatively short time completely incrusted.

In the month of August last, Mr. Hoyt very kindly tendered the use of the hatching-house and the springs to the Commissioners for the prosecution of any experiments they might see proper to make.

In conversation with several of the trustees and faculty of the Ohio Agricultural and Mechanical College, the suggestion by the Commissioners that a hatching-house might be built near the College, and the water obtained from a never failing spring on the premises, and that fish hatching and fish-culture be made a part of the zoological course of study, was received and regarded by them with favor. It is respectfully

suggested that whatever experiments may be deemed desirable to be made with new varieties of fish be made on the College grounds.

The Commissioners suggest that an appropriation of at least $5,000 be made, in addition to the unexpended balance appropriated for the expenses of said Commission, for the purpose of erecting two hatching-houses, to pay expenses in superintending the construction of them, as well as the construction of chutes over the dams of the Scioto (provided the Commissioners are intrusted with this work and authorized to disburse the appropriation for the construction of said chutes,) for expenses in procuring gravid fish, and for expenses of Commissioners.

As the construction of hatching-houses will require the personal presence and supervision of the Commissioners, they feel that it is not extravagant to suggest that they be allowed the sum of three dollars per diem and expenses for every day actually devoted to such superintendence, or to the discharge of other duties directly connected with the fishing interest.

All of which is most respectively submitted.

JOHN H. KLIPPART, *Chairman.*
JOHN HUSSEY.

MINORITY REPORT OF THE COMMITTEE ON NEW COUNTIES AND COUNTIES AFFAIRS.

Mr. Watson, on behalf of himself and others of the minority of the standing committee on New Counties and County Affairs, to whom was referred H. B. No. 90, beg leave to report that they, with the other members of said committee, have had the same under consideration, and hereby respectfully present the reasons why they do not concur in the views of the majority of said committee as embodied in their report.

1st. The seat of justice for said county of Mahoning, as now located, is very near the geographical center of the county, and its removal would be altogether in favor of one portion of the county and against the interests of the other portion of the county.

2d. The number of petitioners for removal and the number against removal are very nearly equal, and, in our opinion, furnish no sufficient ground or reason for entailing upon the people of Mahoning county an exciting and expensive contest.

Respectfully submitted.

JAMES WATSON,
J. B. RAY,
E. M. WALKER.

SPECIAL REPORT ON THE PURCHASE OF STATIONERY BY THE SECRETARY OF STATE.

Mr. Brunner submitted the following report:

The joint select committee appointed under Senate joint resolution No. 28, to whom was referred the official communication from the Constitutional Convention covering the report of the standing committee on Accounts and Expenses, and the tabular statement connected therewith, in relation to the account of stationery furnished the Convention by the

Secretary of State, and the official conduct of that officer in the purchase of stationery for the use of the State, have had the same under consideration, and report:

The committee have called before them and examined under oath some of the members of nearly all the firms of whom the Secretary of State has purchased the supplies of stationery for the State for the past three years. They have also examined as a witness one of the firm of Robert Clarke & Co., of the city of Cincinnati, as to the bill sent by that house to the Chairmain of the committee on Accounts and Expenses of the Convention, and have examined under oath the Secretary of State and his clerk who acted as purchasing agent for the office.

We have also carefully examined the quality and cost of the stationery on hand, and specimens of the articles furnished to the Convention, together with all the original bills of purchase, comparing the prices charged in these accounts with the prices charged by the Secretary of State in the bills furnished from his office on requisitions of the officers authorized to draw supplies, and found the prices in all cases to correspond.

The committee have given the whole subject as full, careful and thorough an investigation as they have been able to do in the time at their command, and such as in their judgment was necessary to enable them to arrive at the facts, and form a just and impartial judgment in the premises.

We find that the Secretary of State has purchased his supplies from time to time as the goods were needed, but that the principal supplies, embracing the principal articles which would be required, were purchased in quantities sufficient to supply the usual demand for the year, in the months immediately preceding the sessions of the General Assembly. Goods are therefore on hand at all times which have been purchased long before.

When the goods are billed out on requisitions, they are of course billed at the cost price, without regard to present prices. Of course, in a changing market, actual cost may, and often does, vary from present prices and value.

We find some articles on hand now, and some of the same lots furnished to the Constitutional Convention, that cost higher prices and some lower prices than that for which articles of the same quality could now be purchased; and this will always obtain when purchases are necessarily made in advance of the demand for actual use.

We find that the Secretary of State has made no purchase of stationery himself, but that the purchasing of supplies has, under the general direction of the Secretary, been intrusted to Capt. Donaldson, the chief clerk in the office, as the purchasing agent.

We find that the directions of the Secretary of State to the purchasing agent have been to invite competition from different dealers and places, and to buy for cash at the lowest possible wholesale rates that he could procure in any market accessible to him. The purchasing agent, in following these general directions, has bought of different firms, without any favoritism or partiality, no one enjoying a monopoly, and has exercised as much care and economy as any individual would exercise in making purchases for himself, procuring by samples and comparison of prices as strong a competition as possible. In proof of this, we find purchases have been made in Cleveland, Columbus and Cincinnati, and of seventeen different firms.

The result has been that in every instance, so far as we could ascertain, without regard to the quantity purchased at the time, he has procured the goods at the lowest wholesale rates, and in some instances at much less than that charged regular customers purchasing in smaller quantities.

We find not the slightest evidence of collusion, combination, or fraud on the part of the Secretary of State, or his purchasing agent, Capt. Donaldson, with any person, manufacturer, or dealer of whom they have purchased goods; neither were we able to discover any evidence of any combination among dealers to put up prices at any of the places where purchases have been made.

The articles required by the General Assembly and the Convention, as well as those used by the different departments of the State government, have been of the best quality, as no cheap or inferior articles would be accepted.

The examination of a member of the firm of Robert Clarke & Co. developed the following facts:

On the 4th day of August, 1873, the following letter of Geo. W. Hill was received by Messrs. Clarke & Co.:

CONSTITUTIONAL CONVENTION OF OHIO,
Columbus, August 4, 1873.

R. W. CLARKE & CO.:

Gentlemen:—Inclosed please find a bill of stationery. Please set your lowest wholesale prices opposite the articles named, and return to my address immediately. The Convention has adjourned to meet in your city in December next, and the committee on Accounts and Expenses are about to make arrangements concerning a supply of stationery for next winter.

Very truly, GEO. W. HILL,
Chairman Committee Accounts and Expenses.

The bill inclosed gave no indication of the quality, kind or finish of the goods desired, but conveyed to them, as they construed it, a proposition to give them a contract to furnish the necessary supplies of stationery for the use of the Convention.

The firm responded to the inquiry, and gave a list of prices based on articles to be furnished by them of a certain kind and quality which they had on hand, with little or no indication of kind, weight, finish or quality.

When it is understood that there is scarcely an article in the list that does not vary in price, depending on quality, weight, fineness, and finish, from *fifty* to *five hundred* per cent., it will readily be seen that no correct understanding could be obtained as to a comparison of prices without having under examination samples of the goods under each bill. As an illustration: scissors and shears range from three to twenty-four dollars per dozen; pen holders from sixty cents to ten dollars per gross; inkstands from one dollar and a half to twenty five dollars per dozen; blank-books from a common pass-book to the largest size full Russia-bound journal, etc., etc.

How any just-minded man could, in a fancied discrepancy of prices in bills of such goods, and without samples under each bill before him, base a conclusion and predicate charges implicating the probity and integrity of an officer of State, is difficult for us to see; and yet, on the evidence of those bills alone, as we understand, Mr. Hill has based his charges against the Secretary of State.

The witness examined by this committee (being the member of the firm of Robert Clarke & Co. who responded to the letter of inquiry before given) was requested to and did produce on his examination samples and specimens of each article upon which the offer in his response to Mr. Hill's letter was based.

The samples were compared with samples of the articles furnished by the Secretary of State to the Convention on the requisition of their Sergeant-at-Arms.

The examination of these samples was evidence of the most convincing character of the fact, which was very cheerfully admitted by the witness, that in nearly every instance the samples of Clarke & Co., upon which their offer to Mr. Hill was based, were greatly inferior in grade, quality, and value to those furnished to the Convention by the Secretary of State.

That very great injustice was done the Secretary of State by the tabular statement and comparison of prices thus made up by the Chairman of the Convention committee, and his statement based thereon sent to the General Assembly by the Convention, is perfectly apparent to this committee. We charitably hope that the injustice was not intended.

We close this report with a statement of the conclusion to which the committee has arrived, and of which the investigation has fully satisfied us; which is, that the official conduct of the Secretary of State, as well as that of Captain Donaldson, the purchasing agent of that department, in the purchasing of stationery for the use of the State, has been in all respects free from all collusion, combination or fraud with any persons, and that the goods were purchased at as low prices as could have been obtained in any market accessible to him at the time of purchase, without favoritism, and with as great regard to rigid economy as could have been required under the circumstances controlling his action, and have been charged up in the requisition on his office at the actual cost.

The committee, therefore, ask to be discharged from the further consideration of the subject.

L. C. JONES,
JOHN G. THOMPSON,
THOMAS M. ROBB,
L. A. BRUNNER,
GEO. H. FORD.

LONGVIEW ASYLUM.

COLUMBUS, *March* 20, 1874.

HON. GEO. L. CONVERSE, *Speaker of the House of Representatives:*

SIR:—I have the honor to present a report of the action of the Commission appointed under a joint resolution of the last General Assembly. (O. L., Vol. 70. p. 407.) By the resolution itself this report is to be made to the General Assembly, but having but one copy I transmit it to the most numerous branch—the House of Representatives—presuming that, as usual, it will be printed for the use of the Legislature.

Very respectfully, your obedient servant,

JAS. WILLIAMS, *Auditor of State.*

To the General Assembly of the State of Ohio:

On the 6th day of May, 1873, the General Assembly adopted the following joint resolution relating to the Longview Asylum:

Resolved by the General Assembly of the State of Ohio, That it be and is hereby made the duty of the Governor, Auditor of State and Attorney-General to confer with the proper authorities of Hamilton county and Longview Asylum as to the price and equitable terms upon which said Asylum and the government thereof can be transferred to the State, and report to the next session of the General Assembly. (O. L., Vol. 70. p. 407.)

The undersigned (the only one of the State officers named in the above resolution now in office) had supposed that Governor Noyes, who was chairman of the Commission, had reported the result of the conference, but learning that it had been inadvertently omitted until after the expiration of his term, has now the honor, with the concurrence of ex-Governor Noyes and ex-Attorney-General Pond, to submit the following report:

That in obedience to the duty enjoined in the above resolution, the Governor, Auditor of State and Attorney-General visited the Commissioners of Hamilton county and the Trustees of Longview Asylum in November last, holding with them two conferences—one at the court-house in Cincinnati, and the other at Longview Asylum—upon the subject of the transfer of said asylum to the State. At the latter conference the joint boards of County Commissioners and Trustees adjourned to meet on the 29th of November, 1873, to determine whether they would make any proposition to the State, and if so, to name the price and equitable terms.

Such meeting was held, but the joint boards adjourned without agreeing upon any proposition whatever in the premises.

Very respectfully,

JAS. WILLIAMS,
Auditor of State, in behalf of himself and
EX GOVERNOR NOYES, *and*
EX-ATTORNEY-GENERAL POND.

OHIO PENITENTIARY.

REPORT OF THE COMMITTEE ON PENITENTIARY IN COMPLIANCE WITH HOUSE RESOLUTION NO. 55.

The committee on Penitentiary, to whom was referred H. R. No. 55, which was in the following words:

Resolved, That the committee on Penitentiary be and they are hereby instructed to inquire whether within the past two (2) years there have been supported, boarded or lodged in the family of the Warden of the Penitentiary any person or persons other than as are properly a part of the family of such Warden, and entitled to boarding and lodging in the family of such Warden; and that such committee report to this House at their earliest convenience the names, ages and occupations of all persons who have been lodged and boarded in the apartments of the Penitentiary set apart for the occupancy of the Warden and his family, and the length of time each has been so lodged and boarded there; and said committee are hereby authorized to send for persons and papers, and to examine witnesses under oath,

Report as follows: We find it difficult to decide who are properly a part of the family of such Warden, and therefore report the names, ages

and occupations of all, beside himself, wife and minor children, who have boarded and lodged in the tenement appropriated for the residence of the Warden of the Penitentiary:

Mrs. Mary D. Runyan, aged ninety-two years. Occupation unknown. Has lived in the family of the Warden for twenty-five years; is his mother-in-law.

James W. Gillies, Mary R. Gillies, and two infant children. (Son-in-law, daughter and grand-children of Warden.) Age of Mr. Gillies, about twenty eight years. Occupation, assistant clerk of the Penitentiary.

Charles S. Lewis, E. Jennie Lewis, and one infant child. (Son-in-law, daughter, and grand child of the Warden.) Age of Mr. Lewis, about twenty-five years. Occupation, clerk in the post-office.

Charles B. Burr and Olive Burr. (Son and daughter in-law of the Warden.) Age of Mr. Burr, about twenty-two years. Occupation, clerk in the post-office. Does not now reside in the Penitentiary.

The committee would state that the law requires that "the Warden shall reside in the Penitentiary, in apartments to be assigned him by the Directors, and to be furnished at the expense of the State."

The present incumbent has occupied the apartments assigned to his predecessor and none other; that they have not been fully furnished by the State, and the apartments occupied by the married children of the Warden have in no part been furnished by the State during such occupancy. As to boarding, the table of the Warden is not furnished by the State, but by himself, at his own expense.

INDEX.

A

ARCHER, CHAPMAN C., Representative from Hamilton County—
appointed on committees 37, 38, 75, 306, 354, 494
bills introduced by 12, 50, 175, 217, 279, 324, 485, 578
leave of absence granted to 35, 70, 137, 233, 381, 427
motions made by, 19, 305, 354, 360, 418, 485, 517, 519, 535, 563, 578, 597, 598, 607, 608, 613, 620, 640, 646, 659, 665, 679, 686.
nomination by 6
oath of office administered to 3
petition presented by 222
reports submitted by 134, 181, 261, 281, 296, 375, 379, 495, 662
resolution offered by 292
ARMSTRONG, THOMAS H., Representative from Belmont County—
appointed on committees 37, 38
leave of absence granted to 196, 321
motions made by 141, 283, 296, 309, 408, 436, 730
oath of office administered to 3
petitions, memorials and remonstrances presented by 286, 427
report submitted by 490
resolutions offered by 44, 141
ARMSTRONG, ABRAHAM, Representative from Guernsey County—
appointed on committees 37, 38, 697
bills introduced by 58, 609
leave of absence granted to 321
motions made by 28, 142, 157, 162, 230, 291, 353, 455, 471, 609, 697
nomination made by 83
oath of office administered to 3
petitions, memorials and remonstrances presented by 303, 393, 682
report submitted by 697
Adams County—
to authorize a special term of district court in. (See S. B. No. 59.)
to provide for the removal of the seat of justice from West Union. (See H. B. No. 271.)
to authorize trustees of Scott township to levy a tax for foot-bridge. (See H. B. No. 346.)
Adjournment of the House 8
" General Assembly. (See *General Assembly.*)
Administrators—
relative to release of sureties, and to punish certain offenses. (See H. B. No. 329.)

Advertisements, legal—
to fix the prices for. (See H. B. No. 245.)
Agricultural College. (See *Ohio Agricultural and Mechanical College*)
Agricultural Societies—
to authorize commissioners of Franklin County to levy a tax to improve grounds. (See H. B. No. 37.)
to authorize Urichsville Society to convey certain lands. (See H. B. No. 185.)
to authorize Knox County Society to sell and convey certain lands. (See H. B No. 334.)
to authorize commissioners of Lucas County to levy tax to improve grounds. (See H. B. No. 276)
Agriculture, committee on, leave to sit during session 92
Alimony—
amendatory and supplemental to an act concerning. (See H. B. No. 321.)
Animals—
to restrain from running at large. (See H. Bs. Nos. 70, 97, 99 and 157.)
Annuity, Assurance and Trust Companies—
to provide for the creation and regulation of. (See H. B. No. 301.)
Allen, William—
official vote for 22
Appropriations—
for the Constitutional Convention. (See H B. No. 72.)
partial, for the year 1874. (See H. B. No. 152.)
making, for the year 1874 and the first quarter of 1875. (See H. B. No. 175.)
Appropriation of Private Property—
by corporations. (See H. B. No. 156.)
Apportionment—
of the State into Congressional districts. (See H. B. No. 238.)
Articles—
to provide for the inspection of certain. (See H. B. No. 70.)
exempt from execution. (See H. B. No. 24.)
Assemblies, Public—
to provide for the safety of persons attending. (See H. B. No. 140)
Ashland County—
to change the time of holding court in. (See H. B. No. 207.)
relative to infirmary in. (See H. B. No. 216.)
Assignments—
amendatory of act regulating. (See H. B. No. 188 and S. B. No. 55.)
Associations—
amendatory of act to protect the election of political (See H. Bs. Nos. 183 and 224.)
amendatory of act to incorporate sharp-shooters' associations. (See S. B. No. 98.)
amendatory of act to enable certain to become bodies corporate. (See S. B. No. 2.)
amendatory of act to enable associations of persons for building hotels to become bodies corporate. (See S. B. No. 57.)
Attorney-General—
communications from 212, 607

Atwater Township, Portage County—
to authorize trustees to levy tax to purchase a hearse. (See H. B. No. 245.)
Auction Sales—
amendatory of act regulating. (See H. B. No. 326.)
to repeal an act relative to. (See H. B. No. 266.)
Auditor of County. (See *County Auditor.*)
Auditor of State—
communications from 275, 284, 478, 500, 564, 597
Auglaize County—
to change time of holding court in. (See H. B. No. 343,)
Avon Township, Lorain County—
to levy tax for hearse and hearse-house. (See H. B No. 113.)

B

Baker, John, Representative from Coshocton County—
appointed on committees 37, 38
bills introduced by 75, 101, 278, 578
leave of absence granted to 41, 196, 362, 546, 621
motions made by 125, 337, 621, 691, 738
oath of office administered to 6
petitions, memorials and remonstrances presented by 264, 308, 330
resolution offered by 140
prayer by 454, 506, 513, 698
Baker, George S., Representative from Fairfield County—
appointed on committees 37, 304, 602
bills introduced by 88, 238
leave of absence granted to 427, 648
motions made by, 33, 34, 56, 96, 117, 127, 137, 162, 223, 272, 299, 300, 326, 359, 672, 734, 761.
nomination by 84
oath of office administered to 3
petition presented by 464
reports submitted by 110, 116, 229, 300, 327, 465, 587, 626
resolutions offered by 8, 297
Baker, Emanuel R. P., Representative from Perry County—
appointed on committees 37, 727, 761
bills introduced by 77, 149, 439
leave of absence granted to 110, 145, 320, 362, 427, 546
motions made by 48, 55, 62, 420, 478, 685, 710, 740
oath of office administered to 4
petitions, memorials and remonstrances presented by 201, 212, 253, 254, 284
Barnett, Robert, Representative from Richland County—
appointed on committees 37, 38
leave of absence granted to 243, 370, 610
memorial presented by 50
motions made by 470, 516, 692, 705
oath of office administered to 4
reports submitted by 219, 234, 235, 373, 429, 439, 586, 662

BARRETT, ISAAC M., Representative from Greene County—
appointed on committees 38, 427, 482
bills introduced by 88, 429, 434
leave of absence granted to 146, 298
motions made by 305, 454, 482, 562, 666
oath of office administered to 3
petitions, memorials and remonstrances presented by 168, 243, 395, 427, 561
report submitted by 434
BASKIN, THOMAS H., Representative from Highland County—
appointed on committees 37, 38, 55, 275
leave of absence granted to 68, 233
motions made by 18, 112, 144, 169, 186, 224, 430, 573, 594, 710
oath of office administered to 3
petition and memorial presented by 168, 415
reports submitted by 279, 315, 326, 344, 379, 430, 584, 611, 734
notice to discuss resolution 223
BAY, THOMAS M, Representative from Vinton County—
appointed on committees 37, 38
leave of absence granted to 35, 137, 195, 298, 332, 542
oath of office administered to 14
petition presented by 610
BEACH, ALLEN J., Representative from Knox County—
appointed on committees 12, 37, 63, 523, 550
bills introduced by 131, 576
leave of absence granted to 690
motions made by 85, 343, 471, 518, 531, 551, 576, 596, 638, 719, 723, 729, 743
nomination made by 84
oath of office administered to 3
petitions, memorials and remonstrances presented by 285, 323, 381, 395, 554
previous question demanded by 461
BEATTY, WILLIAM W., Representative from Logan County—
appointed on committees 37, 172, 602, 626, 690
bills introduced by 102, 131, 260, 403, 584, 585, 512, 729
leave of absence granted to 34, 381, 427, 546
motions made by ... 195, 237, 238, 271, 404, 454, 625, 646, 649, 672, 689, 690, 714, 730
oath of office administered to 14
petitions presented by 323, 700
reports made by 80, 117, 136, 141 183, 184, 282, 288, 348, 491, 547, 591, 690
resolution offered by 106
BELL, WILLIAM, Representative from Licking County—
appointed on committees 4, 18, 37, 38, 559
leave of absence granted to 274
motions made by 41, 278
nomination made by 6
oath of office administered to 3
petitions, memorials and remonstrances presented by .. 57, 206, 265, 323, 353, 385, 420, 436, 554.
reports made by 197, 374, 585
resolutions offered by 34, 76, 198, 553, 690

BLAKE, ORVIL, Representative from Portage County—
appointed on committee 38
bills introduced by 58, 300, 554, 729
leave of absence granted to 100, 114, 195, 321, 380, 546, 672
motions made by 62, 76, 141, 230, 283, 418, 453, 468, 481, 482, 571
oath of office administered to 11
petitions, memorials, and remonstrances presented by ..... 195, 203, 255, 301, 309, 323, 395, 613.
reports made by 168, 213, 305, 463, 516, 540, 557, 621
prayer by 147, 531, 541, 613, 633
resolutions offered by 158, 291
BOYCE, GEORGE W., Representative from Hamilton County—
appointed on committees 37, 38, 75, 146, 494
bills introduced by 88, 101, 278, 279, 300, 483
leave of absence granted to 7
motions made by .. 36, 115, 163, 167, 288, 355, 438, 494, 600, 619, 620, 707, 709, 718, 726, 727, 732.
oath of office administered to 3
petition presented by 323
reports made by .. 97, 107, 111, 150, 210, 259, 274, 300, 315, 322, 334, 361, 371, 442, 510, 607, 675, 732.
resolution offered by 758
BROOKE, EDWARD, Representative from Stark County—
appointed on committees 37, 38
leave of absence granted to 332, 420
motions made by 85, 385, 414, 315, 535
oath of office administered to 4
petitions, memorials, and remonstrances presented by .. 321, 285, 308, 350, 405, 515, 584.
BRUNNER, L. A., Representative from Wyandot County—
appointed on committees 37, 38, 146, 217, 238, 255, 335, 608, 740
bills introduced by 53, 76, 175, 576, 639
leave of absence granted to 149, 298
motions made by .41, 105, 110, 137, 147, 161, 175, 193, 202, 204, 217, 227, 238, 256, 317, 333, 350, 352, 362, 366, 389, 391, 401, 407, 428, 435, 442, 446, 448, 463, 517, 531, 537, 540, 556, 576, 600, 601, 629, 630, 683, 685, 698, 707, 723, 734.
oath of office administered to 4
petitions, memorials, and remonstrances presented by 21, 50, 232, 322, 323
reports submitted by 58, 77, 100, 116, 182, 232, 351, 425, 517, 724, 754
resolutions offered by 63, 81, 121, 198, 222, 334, 352, 389, 502, 596
notice to discuss resolution 240
question of privilege 388
Banks—
supplementary to act to enable free banking companies to close business. (See H. B. No. 29.)
Bail—
relative to the taking of in criminal cases. (See S. B. No. 51.)
Bastardy—
amendatory and supplemental to the several statutes in relation thereto. (See House Bills Nos. 130, 182, and 232.)

Beaver Creek Township, Greene County—
to establish a separate school district in. (See H. B. No. 296.)
Bedford Township, Cuyahoga County—
to authorize trustees to levy a tax to build town hall. (See S. B. No. 7.)
Bedford Township, Meigs County—
for the relief of the treasury of. (See H. B. No. 54.)
Bell, Charles E —
nominated for fifth assistant clerk 83
elected and qualified 83
Berry, Curtis—
nominated for third assistant sergeant-at-arms 84
Benevolent Associations or Societies—
to exempt from execution any fund set apart for the families of deceased members (See H. B. No. 236.)
Benevolent Institutions—
to amend an act passed April 7, 1856. (See H. B. No. 46 and S. B. No. 85.)
relative to the management of. (See H. B. No. 154.)
to authorize the purchase of additional grounds for Blind Asylum. (See H. B. No. 219.)
to provide for the more economical and better management of. (See H. B. No. 238.)
to limit the appointment to office in. (See H. B. No. 355.)
Bills—
the proper engrossment of. (See S. J. R. No. 20.)
(see bill table, p. 798.)
Bills of Sale—
relative thereto. (See H. B. No. 242)
Birds and Game—
amendatory for the protection. (See House Bills Nos. 35 and 57.)
Bishop, Henry S.—
elected first assistant sergeant-at-arms 6
leave of absence granted to 8
Blankner, Frederick—
nominated for third assistant sergeant-at-arms 84
election and qualification of 87
Blind—
to appropriate money for books for. (See H. B. No. 111.)
Blind Asylum—
to authorize the purchase of additional lands for use of. (See H. B. No. 219.)
to amend and repeal certain acts relative thereto. (See S. B. No. 129.)
Books—
to authorize commission to compile series for public schools. (See H. B. No. 203.)
Boards of Control—
amendatory of acts prescribing the duties of. (See House Bills Nos. 58 and 252.)
Boards of Education—
to authorize the city of Canton to issue bonds and borrow money. (See H. B No. 84.)
to authorize the purchase of text-books for use of schools. (See H. B. No. 249.)

Boards of Education—
authorized to determine where to pay interest and principal on bonds. (See S. B. No. 114.)
Board of Fire Commissioners—
supplementary to act defining the duties of. (See H. B. No. 44.)
Bonds—
directing the cancellation of certain in hands of the Treasurer of State. (See S. J. R. No. 14.)
Bounty to Volunteers—
to authorize trustees of Seneca township, Monroe county, to levy tax. (See S. B. No. 32.)
Bridge, (swing.)—
to authorize councils and commissioners to construct swing-bridges. (See H. B. No. 162.)
Bridges—
to repeal an act passed May 3, 1873. (See H. B. No. 10.)
to authorize commissioners of Pickaway county to levy tax. (See H.B. No.191.)
limiting the power of commissioners in the construction of. (See H.B. No 213.)
to authorize commissioners of Coshocton county to build. (See H. B. No. 223.)
to repeal the act incorporating Union Bridge Company. (See H. B. No. 340.)
to authorize trustees of Scott township, Adams county, to levy tax. (See H. B. No. 346.)
to authorize commissioners of Coshocton and Knox counties to build. (See S. B. No. 132.)
requiring to construct approaches to. (See H. B. No. 272.)
to authorize commissioners of Franklin county to levy tax. (See H. B. No. 170.)
to authorize commissioners of Hamilton county to build bridge and approaches. (See H. B. No. 163.)
Brigaman, Henry—
employed as porter 19
Brookville, Montgomery County—
to authorize the holding of a special election. (See H. B. No. 347.)
Brown, N. K.—
nominated for third assistant sergeant-at-arms 84
Brown County—
for the relief of the treasury of. (See H. B. No. 307.)
Brown and Highland Counties—
commissioners authorized to complete free turnpike road. (See H. B. No. 227.)
Brugger, J. G.—
for the relief of. (See H. B. No. 42)
Buchanan, James—
nominated for third assistant sergeant-at-arms 84
Building Associations—
amendatory of act relative to. (See H. B. No. 217.)
Buoys—
for the protection of. (See H. B. No. 56.)
Burial Grounds—
for the protection of certain. (See S. B. No. 48.)
Burns, Barnabas—
official vote for 22

BILLS.

HOUSE BILLS.

Number.	Author and Title.	Proceedings.	Signed.
1	Mr. Heitmann: To prohibit payment of per diem to members and officers of the General Assembly while absent, and to repeal an act entitled an act for the compensation of members and officers of the General Assembly, passed April 2, 1866, passed January 20, 1869	11, 38, 116, 735	....
2	Mr. Archer: To amend section two of an act amendatory of and supplemental to an act entitled an act to regulate insurance companies doing an insurance business in the State of Ohio, passed April 24, 1873	[262, 279 12, 39, 91, 118, 123, 124, 126, 215,	279
3	Mr. Eidson: To amend section seventy of an act entitled an act to establish a code of civil procedure, passed March 11, 1873	12, 39, 97, 205, 211	211
4	Mr. Geghan: To amend an amendment of sections seven and ten of an act to provide against the evils resulting from the sale of intoxicating liquors in the State of Ohio, passed May 1, 1854, and amended April 18, 1870	17, 38, 292, 515, 531, 535, 537	....
5	Mr. Norton: To amend section five of an act entitled an act to provide for the punishment of crimes, passed March 7, 1835	17, 38, 140, 159, 169, 270	315
6	Mr. Poe: For limiting the compensation of certain officers therein named	17, 38, 141, 151, 185, 374, 500, 566	....
7	Mr. Miller: To create a board of construction in certain cities	[354, 360, 379, 396 17, 38, 184, 251, 290, 300, 305, 340,	....
8	Mr. Light: To authorize township trustees to levy a tax to purchase fire and burglar-proof safes	18, 38, 90	....
9	Mr. Huston: To amend the seventh section of an act entiled an act to amend an act entitled an act to amend an act to prescribe the rate of taxation for county, bridge, road, and township purposes, passed May 1, 1871, passed April 26, 1872	[660 18, 38, 316, 334, 342, 349, 353, 397,	....
10	Mr. Sater: For the repeal of an act passed May 3, 1873, to require county commissioners to construct approaches to bridges	18, 42, 157	....
11	Mr. Weible: For the relief of securities	18, 39, 139, 159, 224	....
12	Mr. Howland: To secure pay to persons performing labor or furnishing materials in constructing railroads	18, 39, 104, 115, 124, 445, 513	513
13	Mr. Holloway: To create two election precincts in the township of Fairfield, Columbiana county	21, 39, 489	....

HOUSE BILLS—Continued.

Number.	Author and Title.	Proceedings.	Signed.
14	Mr. Miller: To amend section ten of an act entitled an act to regulate the election of State and county officers, passed May 3, 1852	[210, 226, 276, 741, 753 21, 39, 102, 107, 125, 108, 182, 185,	753
15	Mr. Nelson: To authorize the Treasurer of State to cancel and return the bonds in his custody issued by the authority and in pursuance of an act of the General Assembly entitled an act to authorize counties, cities, incorporated villages, and townships to build railroads, and to lease and operate the same, passed May 23, 1872, and the acts amendatory thereto, passed March 31, 1873, and to repeal said several acts	21, 39, 97, 270, 304	305
16	Mr. Neff: To authorize the commissioners of the several counties of this State through which the National or Western Reserve and Maumee roads pass to take under their control so much of said roads as lie within the limits of such counties respectively	32, 42, 180	....
17	Mr. Eshelman: To prohibit railroad officials from giving the Governor, Lieutenant Governor, the private and executive secretaries of the Governor, and all other State officers, members of the Constitutional Convention and their officers, members of the General Assembly and their officers, members of the judiciary, and all county, city, and township officers, free railway passes during their official incumbency	32, 42	....
18	Mr. Case: Supplementary to an act entitled an act to establish a code of criminal procedure for the State of Ohio, passed May 6, 1869	32, 42	....
19	Mr. Stone: To amend sections 1 and 2 of an act entitled an act regulating fees of witnesses in criminal cases, passed May 16, 1852	32, 42, 117, 177	....
20	Mr. Sheppard: To amend section 5 of the act entitled an act relating to roads and highways, passed and took effect March 9, 1868	34, 42, 111, 115, 128, 129	....
21	Mr. Lewis: To regulate the sale of poisons	[736 41, 57, 89, 107, 115, 125, 128, 220,	....
22	Mr. Coler: To amend section 24 of an act relating to roads and highways, passed March 9, 1868	41, 57, 111, 123, 125	....
23	Mr. Haa: To amend section 4 of an act entitled an act to amend sections 28, 181, 313 and 314, as amended February 16, 1866; 374, as amended March 29, 1859; 517, 526, 532 and 557 of the code of civil procedure, passed April 18, 1870	41, 68	....
24	Mr. Holt: To amend section 2 of an act to exempt specific articles of personal property from execution, passed April 16, 1873, and took effect on its passage	42, 69, 102, 107, 108	....

HOUSE BILLS—Continued.

Number.	Author and Title.	Proceedings.	Signed.
25	Mr. Parker: To repeal section 5 of an act entitled an act in addition to the several acts in relation to the courts of justices and their powers and duties, passed April 10, and took effect May 1, 1856	42, 69, 137, 239, 274, 339	....
26	Mr. Green: To establish a joint sub-school district in Shelby county	42, 69, 140, 150, 160, 279	279
27	Mr. West: Supplementary to an act entitled an act supplementary to an act providing for the punishment of crimes, and of the several acts amendatory and supplementary thereto	42, 69, 260, 288, 309, 406, 466	466
28	Mr. Oren: To regulate fares and freights on railroads	43, 69	....
29	Mr. Neff: Supplementary to an act entitled an act to amend the 45th section of an act entitled an act to incorporate the State Bank of Ohio and other banking companies, passed April 14, 1857, and to an act to amend an act to authorize free banking, passed March 16, 1865	43, 69, 735	....
30	Mr. Haven: Relating to section 29, in Green township, Hamilton county	43, 69, 197	....
31	Mr. Hodge: To amend section 1 of an act entitled an act to amend sections 66, 67 and 70 of the act entitled an act to provide for the creation and regulation of incorporated companies in the State of Ohio, passed May 1, 1852, and to repeal a certain act amendatory thereto, passed and took effect January 26, 1865	50, 69, 247, 265, 274	....
32	Mr. Watson: To authorize the trustees of Seneca township, Monroe county, to levy a tax to pay bounties to certain volunteers	50, 69, 156, 168, 175, 463, 527	527
33	Mr. Marx: To repeal sections 7 and 10 of an act entitled an act to provide against the evils resulting from the sale of intoxicating liquors in the State of Ohio, passed May 1, 1854, and as amended April 18, 1870	50, 69	....
34	Mr. Archer: For the relief of Gross and Dietrich	51, 69	....
35	Mr. Kemp: To protect land-holders	[464 51, 69, 326, 362, 371, 400, 451, 455	....
36	Mr. Robb: To amend section 10 of an act entitled an act to provide for the partition of real estate, passed February 17, 1831	51, 69	....
37	Mr. Heitmann: To authorize the commissioners of Franklin county, Ohio, to levy a tax to pay for the improvements of the grounds of the Agricultural Society of said county, and its debts due for lands purchased	53, 69, 103, 115, 159, 169, 213, 216	....
38	Mr. Brunner: To authorize the trustees of Crane township, Wyandot county, to appropriate funds accruing from the sale of certain railroad bonds in the treasury of said township for road purposes	53, 69, 80, 97, 98, 196, 213	....

HOUSE BILLS—Continued.

Number.	Author and Title.	Proceedings.	Signed.
39	Mr. Oren: To amend section 104 of an act entitled an act to establish a code of criminal procedure for the State of Ohio, passed May 6, 1869, as amended January 5, 1871	58, 74, 135, 136, 150, 174, 270	292
40	Mr. Haag: To amend section 7 of an act entitled an act to provide for the election of prosecuting attorneys and prescribing their duties, passed April 30, 1852, and to repeal the section so hereby amended	58, 74, 136, 139, 144	
41	Mr. Parker: To amend section 59 of an act entitled an act to provide for the organization and government of municipal corporations, passed May 2, 1859	58, 74, 242	
42	Mr. Inman: For the relief of J. G. Bragg r	58, 74, 133, 150, 151, 176	
43	Mr. Murlin: To amend section 485 of the municipal code	58, 74, 103, 115, 125	
44	Mr. Hodge: Supplementary to an act passed April 29, 1873, entitled an act to create a board of fire commissioners in cities having a population exceeding ninety thousand inhabitants	[214, 215, 363, 369, 472 58, 74, 103, 115, 126, 137, 177, 210,	472
45	Mr. Kemp: For the repeal of an act passed May, 3, 1875, to authorize the appointment of commissioners of fisheries for the State of Ohio, and defining their duties	58, 74	
46	Mr. Gowey: To amend section 1 of an act entitled an act to provide for the more uniform government and better regulation of the lunatic asylums of the State and the care of idiots and insane, passed April 7, 1856	58, 74, 89, 123, 126, 179	
47	Mr. Blake: To amend section 92 of an act entitled an act of the jurisdiction and procedure before justices of the peace and of constables in civil courts, passed March, 14, 1853	58, 74, 110, 123, 129, 141, 160, 274	
48	Mr. Armstrong of Guernsey: To amend section 17 of an act entitled an act for opening and regulating roads and highways, passed January 27, 1853	58, 75, 80, 97, 98, 149	
49	Mr. Hardy: To extend the provisions of an act of the General Assembly of the State of Ohio, passed April 2, 1873, entitled an act to authorize the commissioners of Trumbull county to remove drift and timber from the rivers in said county, so that the same shall be and have full force and effect in the county of Paulding	58, 75, 263, 265, 277, 357, 472	472
50	Mr. Case: To authorize the board of education of Versailles, in Darke county, special school district, to issue bonds and borrow money	64, 75, 89, 123, 130	
51	Mr. Sherrick, from the committee on Common Schools and School Lands: To authorize the board of education of Perry township, Lawrence county, to levy a tax to pay the indebtedness of said township incurred in the erection of school-houses	67, 75, 81, 97, 99, 622, 695	695

HOUSE BILLS—Continued.

Number.	Author and Title.	Proceedings.	Signed.
52	Mr. Case: To amend an act entitled an act for the reorganization and maintenance of common schools, passed May 1, 1873	70, 75, 134, 139, 162, 259, 334	334
53	Mr. Sater: Authorizing the board of commissioners of Hamilton county, Ohio, to distribute the Cincinnati and Carthage road fund, and to repeal certain local and special acts therein named	70, 75, 329, 353, 369, 396, 398	----
54	Mr. Chapman of Meigs: For the relief of Bedford township, Meigs county, Ohio	[339 75, 93, 96, 234, 259, 265, 266, 325,	339
55	Mr. Oren: Fixing the salaries of the several county officers therein named	[517, 565, 665 75, 93, 229, 275, 348, 428, 441, 470,	----
56	Mr. Richmond: For the protection of buoys in the State of Ohio	[463 75, 93, 242, 255, 259, 269, 274, 404,	463
57	Mr. Coler: For the further protection of certain birds and game, and to repeal a certain act therein named	75, 96, 179, 210, 214, 288, 300, 305, 309, 340, 654, 698, 700, 714, 725, 756	756
58	Mr. Sater: To amend an act entitled an act to establish boards of control and to prescribe their duties, passed March 13, 1872, and the act amendatory of sections 2, 12 and 13 of said act, passed March 21, 1872, and to repeal said acts, and the act passed May 5, 1873	75, 97, 111, 123, 129, 163, 238	----
59	Mr. Howland: To amend section 1 of an act entitled an act providing for inclosing railroads by fences and cattle-guards, as amended April 26, 1871	[288, 312, 701, 745 75, 97, 156, 168, 174, 186, 257, 274,	745
60	Mr. McCoy: To authorize the county commissioners of Ross county to transfer any sum not to exceed twenty-five thousand dollars from the bridge fund or surplus funds of said county to the infirmary building fund, and to authorize said commissioners to issue bonds to the amount of thirty thousand dollars, to borrow money for the purpose of completing the county infirmary	75, 97, 112, 130, 217, 236	236
61	Mr. Baker of Coshocton: To prevent the introduction and spreading of the Canada and American or common thistle	75	----
62	Mr. Bell: To authorize the Board of Public Works to lower three or more culverts along the National Road between the villages of Etna and Wagram, in Licking county	[278 75, 108, 197, 210, 226, 227, 234,	----
63	Mr. Lewis: To amend section 3 of an act entitled an act to prevent collisions on railroads within the State of Ohio, passed March 24, 1860	75, 108, 235, 255, 259, 521, 557	557
64	Mr. Brunner: To amend an act entitled an act to amend an act entitled an act to amend section 7 of an act further to prescribe the duties of county commissioners, passed April 8, 1856, as amended February 26, 1857, passed May 7, 1869, and amended and passed March 13, 1872	76, 108	----

HOUSE BILLS—Continued.

Number.	Author and Title.	Proceedings.	Signed.
65	Mr. Baker of Perry: To amend sections 1 and 2 of the act to regulate and govern the Ohio Penitentiary, passed and took effect April 1, 1867	77, 108	....
66	Mr. Parker: To authorize the board of education of Huntington township, Brown county, to levy a special tax to pay an existing indebtedness of the school building fund	[214, 477, 527 77, 108, 134, 143, 144, 169, 199,	527
67	Mr. Light: To more effectually provide for locating, establishing and constructing ditches, drains and water-courses in townships, and to repeal certain acts therein named	[312, 674, 730 77, 108, 114, 246, 265, 273, 309,	730
68	Mr. Myers of Ashland: For the protection of physicians and surgeons against unjust and malicious prosecutions for alleged malpractice	77, 108	....
69	Mr. Martin: For the relief of Joseph F. Pierce	77, 114, 136, 159, 163, 243	....
70	Mr. Varley: To amend section 2 of an act to restrain from running at large certain animals therein named, passed April 13, and took effect May 1, 1865	[661, 694 77, 114, 587, 607, 620, 629, 636,	....
71	Mr. Richmond: To amend sections 5 and 6 of the act entitled an act for the inspection of certain articles therein named	77, 114, 430, 454, 480, 744, 760	760
72	Mr. Eshelman, from the committee on Finance: Making appropriations for the Constitutional Convention and General Assembly of the State of Ohio	77, 88, 97, 99, 132, 161, 175, 193	....
73	Mr. Marx: To amend sections 93 and 96 of an act entitled an act for the reorganization and maintenance of common schools, passed May 1, 1873	77, 115, 136, 150, 163, 712, 745	745
74	Mr. Huston: To amend section 2 of an act entitled an act supplementary to an act entitled an act to preserve the purity of elections, passed May 5, 1868	77, 115, 236, 283, 309, 336, 460, 472	472
75	Mr. Duncan: Supplementary to an act entitled an act to incorporate loans and savings associations, passed and took effect February 26, 1873	77, 115	....
76	Mr. Gowey: To provide for the punishment of the careless use of fire-arms	77, 115, 282, 315, 341, 354	....
77	Mr. Boyce: To amend section 302 of an act entitled an act to provide for the organization and government of municipal corporations, passed May 7, 1869	88, 115, 494	....
78	Mr. Williams: To authorize the trustees of Delaware township, Delaware county, to borrow money to assist in building a bridge.	88, 115, 135, 150, 164, 622, 745	745
79	Mr. Baker of Fairfield: For the repeal of an act entitled an act for the disposition of unclaimed costs, passed May 5, 1873	88, 115, 433, 454, 481, 674	....
80	Mr. Kemp: To amend section 27 of an act relating to roads and highways, as amended by the act passed January 6, 1873	88, 115, 183, 201, 202, 210, 436, 527	527

HOUSE BILLS—Continued.

Number.	Author and Title.	Proceedings.	Signed.
81	Mr. Mack: To repeal section 4 of an act entitled an act supplementary to an act entitled an act to provide for the settlement of the estates of deceased persons	88, 115, 181	
82	Mr. Faxon: To amend an act entitled an act to prevent and punish the adulteration of milk and cheese, passed March 23, 1865, as amended March 14, 1871	88, 123, 135, 150, 165, 264, 363	363
83	Mr. Tryon: To amend section 27 of an act entitled an act for the reorganization and maintenance of common schools, passed May 1, 1873	88, 135, 150, 165, 293, 295, 363	363
84	Mr Sherrick: To authorize the board of education in the city of Canton, in the county of Stark, to borrow money and issue bonds to purchase sites and build schoolhouses in Canton school district	88, 123, 202	
85	Mr Haag: To amend section 6 of an act entitled an act to amend section 1 of an act passed May 16, 1868, entitled an act to amend original sections 6 and 7 of the act entitled an act relating to the organization of courts of justices, and their powers and duties, passed February 19, 1852	88, 123, 183, 225, 233, 237, 516, 527	527
86	Mr Barrett: To prevent dangerous interference with steam-boilers	88, 123, 235, 265, 268, 750, 758	758
87	Mr. Mann: To amend section ninety-two of an act entitled an act of the jurisdiction and procedure before justices of the peace, and of the duties of constables in civil courts, passed and took effect March 14, 1853	88, 123, 124	
88	Mr. Sater: To amend section 20 of an act entitled an act prescribing the duties of county auditors, passed and took effect April 4, 1859, as amended January 16, 1873	88, 123, 281	
89	Mr. Mack: To authorize the trustees of Copley township, Summit county, to levy a tax for certain purposes mentioned therein	90, 123, 235, 265, 268	
90	Mr. Newton: To provide for the removal of the seat of justice of Mahoning county, Ohio, from the town of Canfield to the city of Youngstown, in said county	[322, 356, 599, 629 100, 124, 249, 261, 295, 305, 320,	629
91	Mr. Stone: To abolish the death penalty, and to amend the first section of an act entitled an act providing for the punishment of crimes, passed March 7th, 1835.	101, 127, 182, 316, 434, 442, 479	
92	Mr. Hatfield: To provide for the removal of the seat of justice of Wood county from the incorporated village of Bowling Green to that of Perrysburg, in said county, and to authorize the mayor and town council of the incorporated village of Perrysburg and the trustees of the township of Perrysburg, in said county, to donate and convey certain property in case of such removal	[416, 420, 469 101, 127, 311, 350, 360, 361, 3:0,	

HOUSE BILLS—Continued.

Number.	Author and Title.	Proceedings.	Signed.
93	Mr Thompson of Montgomery: To amend section 1 of an act entitled an act to fix the rate of toll on turnpike and plank-road companies, passed and took effect March 16, 1865, and the several acts amendatory thereto	101, 127, 584	....
94	Mr. Norton: For the government and regulation of the Ohio Penitentiary, and to repeal an act entitled an act to regulate and govern the Ohio Penitentiary, passed April 1, A.D. 1867	101, 127	....
95	Mr. Johnson: To authorize the creation of a separate school district in Porter township, Scioto county, Ohio	101, 127, 135, 150, 165, 364, 466	466
96	Mr. Munson: To amend section 1 of an act entitled an act to amend section 1 of an act entitled an act to amend an act to prevent the killing of wild deer, passed and took effect February 19, 1866	101, 128, 179, 195, 210, 214	....
97	Mr. Chapman of Meigs: To amend sections 3 and 6 of an act to regulate inclosures, and to provide against trespassing animals, passed January 17, 1840, and took effect August 1, 1840	101, 128	....
98	Mr. McLain: To amend section 47 of an act entitled an act for the reorganization and maintenance of common schools, passed May 1, 1873	101, 128, 134, 143, 144, 243, 270	....
99	Mr Hatfield: To amend section 6 of an act regulating inclosures and provide against trespassing animals, passed January 17, 1840, took effect August 1, 1840	101, 128, 344	....
100	Mr. Boyce: To provide for a revision of the general laws of the State	101, 128	....
101	Mr Robb: To authorize the commissioners of Allen county to levy a tax to purchase and improve fair grounds for the agricultural society of said county	101, 138, 341, 399, 724, 753	753
102	Mr. Van Meter: To authorize the commissioners of Guernsey county to transfer to the townships of Beaver, Buffalo, Seneca, and Wayne, in Noble county, certain railroad stocks held by said Guernsey county, and the payment to said townships of dividends received by said county on said stock; also all the taxes collected by said county on a certain amount of said railroad lying and being in said Noble county	[353, 360, 380, 476 101, 139, 145, 265, 268, 288, 337,	....
103	Mr. Miller: To amend section 338 of an act entitled an act to provide for the organization and government of municipal corporations, passed May 7, 1869	[401, 702, 745 101, 139, 243, 247, 249, 347, 396,	745
104	Mr. Hodge: To amend section 11 of an act for the reorganization and maintenance of common schools, passed May 1, 1873	101, 139, 239, 255, 256, 604	....
105	Mr Baker of Coshocton: To repeal an act entitled an act for the encouragement of the Coshocton Union school, passed March 19, 1851	101, 139, 184, 210, 214, 259, 334	334

HOUSE BILLS—Continued.

Number.	Author and Title.	Proceedings	Signed.
106	Mr Scott: Supplementary to an act entitled an act to exempt specific articles of personal property from execution, passed April 16, 1873	101, 139, 184	....
107	Mr. Beatty: To amend section 71 of an act for the reorganization and maintenance of common schools, passed May 1, 1873	102, 139, 347	....
108	Mr. Sherrick: To prevent the use of ferrets to catch rabbits	102, 139, 179, 210, 219, 443, 479	479
109	Mr. Kemp: To amend an act entitled an act to amend an act entitled an act to regulate the standard per bushel of stone coal, passed April 29, 1872	109, 139, 315, 353, 365	....
110	Mr. Chapman of Cuyahoga: For the protection and increase of fruit trees.	109, 139	....
111	Mr. Holt: To provide for the organization, supervision and maintenance of separate schools for colored youth	109, 143, 497, 522, 568, 614, 625, [636, 661,694	....
112	Mr. Hatfield: To appropriate five hundred dollars for the benefit of the blind, to purchase books, etc	109, 143, 146, 148, 149, 159, 179, [244, 272	272
113	Mr. Faxon: To authorize the trustees of Avon township, Lorain county, to levy a tax for certain purposes therein named	109, 143, 247, 265, 268	....
114	Mr. Scott: Providing for printing and distributing the Journals of the General Assembly, and the Laws and Public Documents, and repeal certain acts therein named	116, 143, 182, 195, 215, 227, 499	....
115	Mr. Lewis: To authorize the county commissioners of Tuscarawas county, Ohio, to borrow money and issue bonds to pay off an existing indebtedness contracted in the erection of bridges	118, 128, 183, 213, 228	....
116	Mr. McLain: To provide for the appointment of an inspector of mines, and supplementary to an act entitled an act regulating coal mines and the working thereof, passed April 29, 1872	118, 143	....
117	Mr. Haag: To amend section 54 of an act passed April 17, 1867, entitled an act to amend sections 49 53 and 54 of an act entitled an act to provide for the creation and regulation of incorporated companies in the State of Ohio, passed May 1, 1852, and to repeal the sections so hereby amended	131, 143, 373, 406, 450, 702, 745	745
118	Mr. Mesloh: To amend section 2 of an act entitled an act to establish and maintain an agricultural and mechanical college in Ohio, passed March 22, 1870	131, 148	....
119	Mr Thompson of Montgomery: To create and establish an election precinct in Jefferson township, Montgomery county, in the State of Ohio, at the National Soldiers' Home, near Dayton	131, 148	....
120	Mr. McKinley: Amendatory to an act entitled an act for the reorganization and maintenance of common schools, passed May 1, 1873	131, 148, 180	....

HOUSE BILLS—Continued.

Number.	Author and Title.	Proceedings.	Signed.
121	Mr. Beach: To authorize the treasurer of Knox county to pay out of the treasury, upon the order of the county commissioners, certain funds derived from the stockholders of the Lake Erie Railroad Company	131, 148, 186, 210, 211, 258, 286	
122	Mr Oren: To prohibit the importation, manufacture and sale of intoxicating liquors as a beverage in the State of Ohio	131, 148	
123	Mr. Duncan: To amend section 10 of an act entitled an act relating to juries, passed and took effect April 26, 1873	131, 148, 181	
124	Mr. Beatty: To amend an act entitled an act to amend section 62 of an act entitled an act to establish a code of criminal procedure for the State of Ohio, passed May 6, 1869, passed January 29, 1873	131, 148, 180, 195, 215, 318, 338	338
125	Mr. Mann: To amend an act of the jurisdiction and procedure before justices of the peace, and of the duties of constables in civil cases, passed March 14, 1853	133, 148, 348	
126	Mr. Holloway: To repeal section 3 of an act entitled an act passed April 30, 1862, amendatory of an act entitled an act in addition to the several acts in relation to the courts of justice and their powers and duties, passed April 10, 1856	139, 148, 280	
127	Mr. Neff: To amend an act entitled an act to amend an act supplementary to an act defining the jurisdiction and regulating the practice of probate courts, passed March 4, 1853, amended February 20, 1866, as amended March 10, 1873	140, 148, 261, 593	
128	Mr. Brunner: Supplementary to an act entitled an act to incorporate loans and savings associations, passed and took effect February 26, 1873	140, 150, 237	
129	Mr Beatty: Supplementary to an act entitled an act to provide for the creation and regulation of incorporated companies in the State of Ohio, passed May 1, 1852	[744, 760 140, 150, 346, 396, 400, 404, 413,	760
130	Mr. Morris: To amend section 10 of an act entitled an act for the maintenance and support of illegitimate children, and to repeal said section so amended, passed April 3, 1873	[568, 575, 578, 607 140, 150, 440, 463, 483, 563, 567,	
131	Mr. Heitmann: To amend section 38 of the act entitled an act relating to wills, and the repeal of former acts relating thereto, passed May 3, 1852	142, 150	
132	Mr. Walker: To authorize the commissioners of Darke county to levy a tax for agricultural purposes	[300, 317, 621 142, 150, 218, 225, 229, 241, 277,	
133	Mr. Faxon: To authorize the trustees of Lagrange township, Lorain county, to levy a tax for certain purposes therein named	144, 150, 281, 315, 340, 406	

HOUSE BILLS—Continued.

Number.	Author and Title.	Proceedings	Signed.
134	Mr. Heitmann: To amend an act entitled an act to amend an act entitled an act regulating the charges for transportation of freight upon railroads within this State, passed March 11, 1872	144, 150, 156, 329	...
135	Mr. Heitmann: To amend an act entitled an act to amend section 13 of an act entitled an act to provide for the creation and regulation of incorporated companies in the State of Ohio, passed May 1, 1852, passed April 25, 1873	144, 150, 157, 236	....
136	Mr. West: To amend section 27 of an act entitled an act for opening and regulating roads and highways, passed January 27, 1853	145, 151, 235, 265, 267, 393, 472	472
137	Mr. Van Meter: To amend section 12 of an act entitled an act to establish the independent treasury of the State of Ohio, passed April 12, and took effect July 1, 1858, so as to make the duties of the judge of probate more definite and certain	145, 151, 344, 353, 397, 741, 753	753
138	Mr. Tryon: To authorize the commissioners of Lake county to build a county infirmary, and to issue bonds therefor	145, 151, 178, 195, 216, 406, 466	466
139	Mr. McCloud: To amend section 13 of an act entitled an act providing for locating, establishing and constructing ditches, drains and water-courses in townships	145, 151	....
140	Mr. Sheppard: To amend an act entitled an act to provide for the safety of persons attending public assemblies	146, 151, 200	....
141	Mr. Mann: To amend an act entitled an act for the reorganization and maintenance of common schools, passed May 1, 1873	146, 151, 242	....
142	Mr. Heitmann: Supplementary to an act entitled an act supplementary to an act making certain instruments of writing negotiable, passed February 25, 1820, passed March 30, 1857	[361, 370, 684 149, 151, 203, 291, 315, 341, 346,	....
143	Mr. Weible: To authorize the commissioners of Van Wert county to build a court-house	149, 151, 288, 305, 338, 635, 721	724
144	Mr. Hill: To amend sections 2 and 4 of an act entitled an act to amend sections 1, 2, 4, 5, 6, and 11 of an act entitled an act to authorize county commissioners to construct roads on a petition of a majority of the resident land-owners along and adjacent to the line of said road, and to repeal an act therein named, passed March 29, 1858	[571, 593, 615, 745 149, 159, 234, 265, 267, 271, 560,	745
145	Mr. Baker of Perry: To regulate mines and mining	149, 168, 313, 353, 361, 426, 472	472
146	Mr. McKinley: Supplementary to an act entitled an act to provide for the creation and regulation of incorporated companies in the State of Ohio, passed May 1, 1852	149, 168	....
147	Mr. Holloway: Amendatory of an act to protect sidewalks, passed April 3, 1867	151, 168, 281, 305, 319, 712, 756	756

HOUSE BILLS—Continued.

Number.	Author and Title.	Proceedings.	Signed.
148	Mr. Coler: To create a joint sub-district for school purposes in the townships of Gratis and Lanier, Preble county, Ohio, and German and Jackson, Montgomery county	152, 168, 197, 213, 226, 302, 339	339
149	Mr. Haag: To repeal an act entitled an act to establish a superior court for the city of Cleveland, and to repeal an act therein named, passed May 5, 1873	152 168	....
150	Mr. Hill: Supplementary to an act entitled an act to provide for the creation and regulation of incorporated companies in the State of Ohio, passed May 1, 1852	152, 168	....
151	Mr. West: To amend an act entitled an act to provide for a uniform standard of weights and measures, passed April 11, 1861	152, 168, 290, 361	....
152	Mr. Eshelman: Making partial appropriations for the year 1874	156, 173, 208, 231	244
153	Mr Van Meter: To amend an act entitled an act to amend section 14 of an act entitled an act concerning the relation of guardian and ward, passed April 12, 1858, passed and took effect March 31, 1864	156, 174, 329	....
154	Mr. Inman: To repeal a certain act therein named	[521, 527 167, 174, 236, 265, 269, 273, 339,	527
155	Mr. Lewis: Relating to the management of benevolent, penal and reformatory institutions, and the building, alteration and repairs of State asylums and other State buildings	167, 199	....
156	Mr. Brunner: Prescribing the mode for the appropriation of property by corporations	175, 207, 289, 430, 516, 540	....
157	Mr. Herron: To amend section 1 of an act entitled an act to restrain from running at large certain animals therein named, passed April 12, 1867	175, 201, 430, 463, 482	....
158	Mr Cole: To establish and protect foot or sidewalks and shade and ornamental trees along certain public roads and highways	175, 202, 219, 225, 228, 658	....
159	Mr. Archer: To amend section 14 of an act amendatory of and supplementary to an act entitled an act to provide for establishing an insurance department in the State of Ohio, passed April 26, 1873	175, 202, 566, 568, 575, 593, 607, 608	....
160	Mr. Nelson: To provide for judgments by default before justices of the peace and other officers	175, 202, 348	....
161	Mr. Nelson: To amend section 640 of an act entitled an act to provide for the organization and government of municipal corporations, passed May 7, 1869, as amended April 18, 1870, as amended by the act entitled an act limiting the rates of taxation in municipal corporations, passed May 2, 1871	175, 202, 242, 248	

HOUSE BILLS—Continued.

Number.	Author and Title.	Proceedings.	Signed.
162	Mr. Hardy: To enable the common council of any city or incorporated village in this State having a population of twenty-five hundred inhabitants or more, through which any of the canals of this State may run, or for the board of county commissioners of the county in which such city or incorporated village may be situate, to construct and maintain for public use a swing bridge, or self-closing bridge, on any highway where the same crosses such canal within the territory of said city or incorporated village	176, 202, 345, 361, 389, 399, 703, 746	746
163	Mr. Thompson of Lucas: To amend an act entitled an act to amend an act entitled an act supplementary to the act entitled an act to provide for the creation and regulation of incorporated companies in the State of Ohio, passed May 1, 1852	176, 207	....
164	Mr. Gordon: To repeal an act passed April 18, 1873, entitled an act supplementary to the act relating to cities of the first class having a population exceeding one hundred and fifty thousand inhabitants, passed May 4, 1869	176, 207	....
165	Mr. Hatfield: To create original fractional township eight (8), north, range twelve (12), east, in Wood county, Ohio and the part of township three (3), U S. Reserve, lying west of and between said township eight and Manmee river, into a separate civil township	197, 207, 260, 288, 337, 615, 724	724
166	Mr. Holloway: Authorizing the creation of an additional sub-school district in Madison township, Columbiana county	[459, 527 197, 207, 243, 265, 271, 403, 426,	527
167	Mr. Green: Supplementary to the act entitled an act prescribing the duties of county auditors, passed and took effect April 4, 1859, as amended January 11, 1873	197, 207, 261, 288, 337, 406, 466	466
168	Mr. Gordon: Authorizing the commissioners of Hamilton county to build a new bridge and approaches on or below the present Union bridge site	197, 207, 328, 361, 398, 418, 545, 557	557
169	Mr. Hardy: To amend an act passed April 15, 1867, entitled an act to provide for the voluntary dissolution of corporations	197, 207, 496, 556, 568, 573	....
170	Mr. Heitmann: Supplementary to an act entitled an act to amend section 1 of an act entitled an act to authorize the commissioners of Franklin county to build a bridge across the Scioto river in said county, and to levy a tax for that purpose, passed April 17, 1872	199, 208, 373, 415, 468	....
171	Mr. Case: To amend section 78 of an act entitled an act to amend an act entitled an act for the assessment and taxation of property in this State, and for levying taxes thereon according to its true value in money, passed April 5, 1859, as amended April 8, 1865	199, 213, 345, 399, 725, 730	730

HOUSE BILLS—Continued.

Number.	Author and Title.	Proceedings.	Signed.
172	Mr. Green: To attach the north half of section twenty-eight, town seven, south, range six, east, to joint sub-district number seven, Franklin township, Shelby county Ohio	199, 213, 220, 225, 229, 283, 338	338
173	Mr. Eidson: To repeal certain sections of an act entitled an act for the regulation and maintenance of common schools, passed May 1, 1873	199, 226, 239	....
174	Mr. Parker: To authorize the county commissioners of Brown county to construct a free turnpike road from Sardinia, in said county, to the county line between Brown and Clermont counties	199, 226, 379	....
175	Mr Eshelman: Making appropriations for the fiscal year 1874 and the first quarter of the fiscal year 1875	[201, 226, 300, 304, 310, 318, 324, 354, 359, 366, 415, 421, 423, 437, 454, 616, 641, 645, 648, 666, 677, 689, 693, 706, 715, 717, 721, 726, 727, 739, 740, 746, 751, 753, 756.	756
176	Mr. Hardy: To authorize the correction of clerical errors, omissions or defects appearing to exist in descriptions of real estate in orders, decrees or findings of probate courts	202, 226	....
177	Mr. Green: To pay original surveyed township No. 8, south, of range No. 4 east, in Shelby county, Ohio, for school lands overflowed by the Laramie reservoir	202, 226	....
178	Mr. Green: To transfer Shelby county from the first sub-division of the third judicial district to the second sub-division of said district	202, 226, 262, 288, 338, 460, 480	480
179	Mr. Archer: To amend sections 57, 60 and 61 of an act entitled an act of the jurisdiction and procedure before justices of the peace, and of the duties of constables in civil courts, passed March 14, 1853	217, 246, 375, 396, 402, 660	....
180	Mr. McCoy: To amend section 5 of an act entitled an act to enable associations of persons to raise funds to be loaned among their members for building homesteads and for other purposes to become a body corporate, passed May 5, 1868	217, 246, 347, 620	....
181	Mr. Conklin: To attach Pickaway county to the second sub-division of the fifth judicial district	[407, 676 217, 246, 327, 353, 369, 396, 406,	....
182	Mr. Eshelman: Supplementary to an act entitled an act for the maintenance and support of illegitimate children, passed April 3, 1873	217, 246	....
183	Mr. Gordon: Supplementary to an act entitled an act to protect the elections of voluntary political associations, and to punish fraud therein, passed February 24, 1871	[753 230, 246, 547, 568, 614, 625, 741,	753
184	Mr. McLain: To provide for the safe-keeping of public funds, and amendatory of an act entitled an act to establish the independent treasury of the State of Ohio, passed April 12, 1858	233, 248, 377, 386, 415, 454	....

HOUSE BILLS—Continued.

Number.	Author and Title.	Proceedings.	Signed.
185	Mr. Lewis: To authorize the President and Secretary of the Urichsville Agricultural Society to sell and convey certain lands.	[480 233, 248, 279, 305, 317, 444, 454,	480
186	Mr. Sheppard: To amend section 5 of an act entitled an act to regulate the election of State and county officers, passed May 3, 1852	233, 248, 361, 400, 454, 481	....
187	Mr. Ford: To authorize the trustees of the township of Thompson, Geauga county, to sell the second story of the town hall of said township	233, 248, 282, 305, 320	....
188	Mr. Faxon: To amend section 2 of an act regulating the mode of administering assignments in trust for the benefit of creditors, passed and took effect April 6, 1859	[696 233, 248, 371, 406, 438, 442, 602,	696
189	Mr. Varley: To amend section 378 of the act entitled an act to establish a code of civil procedure, passed March 11, 1853	234, 248, 343, 449	....
190	Mr. Richmond: To secure the protection and encourage the planting and culture of forests, and the planting of shade trees along the public highways of the State of Ohio	234, 249, 346	....
191	Mr. Conklin: To authorize the commissioners of Pickaway county, Ohio, to levy a tax to build a bridge across Deer creek, at or near Haynes' mill, in said county	234, 249, 439, 463, 482, 622, 696	696
192	Mr. Poe: Supplementary to an act to exempt specific articles of personal property from execution, passed April 16, 1873	234, 249, 491, 512	....
193	Mr. McLain: To authorize the trustees of Champion township, Trumbull county, Ohio, to levy a tax to purchase a hearse	234, 249, 324, 353, 369, 414	....
194	Mr. Grosvenor: Providing the means of enforcing recoveries of money otherwise than by levying execution	234, 249	....
195	Mr. Grosvenor: To amend the act to amend section three of an act entitled an act of the jurisdiction and procedure before justices of the peace, and of the duties of constables in civil courts, passed and took effect March 10, 1860	234, 249, 372, 481, 556, 575, 607	....
196	Mr. Grosvenor: For the protection of persons purchasing transportation tickets for passage on railway and steam navigation lines	234, 256, 316	....
197	Mr. Hodge: To provide for supplying United States courts in Ohio with the laws of the State	234, 256, 280, 300, 311, 359, 472	472
198	Mr. Mann: To authorize the creation of a separate school district in Royalton township, Fulton county, Ohio.	231, 256, 296, 300, 311, 460, 462	....
199	Mr. Baker of Fairfield: To authorize the board of education of Hocking township, Fairfield county, to issue bonds to raise money for erecting two new school-houses, and to levy a tax to pay said bonds	238, 256, 262, 265, 276, 325, 472	472

HOUSE BILLS—Continued.

Number.	Author and Title.	Proceedings.	Signed.
200	Mr. Gordon: Relating to section 29, township 4, fractional range 1, Miami Purchase, in the original surveyed township of Cincinnati, in the county of Hamilton	238, 256	
201	Mr Ford: To authorize the trustees of Russell township, Geauga county, Ohio, to levy a tax for certain purposes therein named	241, 256, 377, 396, 402	
202	Mr. Miller: To amend sections 306, 307, 318 and 325 of an act entitled an act to provide for the organization and government of municipal corporations, passed May 7, 1869	[759 243, 256, 494, 510, 563, 574, 727,	759
203	Mr. McCoy: To authorize the appointment of commissioners to compile or prepare a series of text or school books for use in the common schools of the State of Ohio	246, 265, 740	
204	Mr. Hodge: To amend section 16 of an act entitled an act to organize and regulate an independent militia, passed April 18, 1870	[654, 707, 745 246, 265, 292, 315, 330, 341, 354,	745
205	Mr. Grosvenor: To refund to the Ohio University certain funds in the State treasury, and to provide for the future payment of the claims of said University	248, 265, 490, 517, 556, 572	
206	Mr. Howland: To amend section 693 of the municipal code	249, 266, 347	
207	Mr Myers of Ashland: To change the time for holding the second term of the court of common pleas for the year 1874 for the county of Ashland	249, 266, 361, 400, 599, 694	694
208	Mr. Chapman of Meigs: To amend an act entitled an act of the jurisdiction of justices of the peace, and of the duties of constables in civil courts, passed March 14, 1850	251, 287, 495	
209	Mr. Howland: To authorize the filling of vacancies in the boards of trustees of townships	251, 287, 318, 325, 460, 480	480
210	Mr. Richards: To amend section 1 of an act entitled an act to exempt specific articles of personal property from execution, passed April 16, 1873	[470 251, 287, 348, 396, 403, 428, 442,	
211	Mr Stone: To amend section 313 of the code of civil procedure, as amended April 18, 1870	251, 287, 380, 427, 442, 478, 684	
212	Mr Conklin: For the relief of Bernard Ritter	252, 287, 300, 312	
213	Mr Haag: To limit the power of county commissioners in the construction of bridges	252, 287	
214	Mr. Heitmann: To amend section 1 of an act entitled an act supplementary to an act entitled an act authorizing the appointment of metropolitan police commissioners in cities of the first class with a population less than one hundred thousand inhabitants at the last Federal census, passed April 5, 1866, as amended and supplemented April 7, 1868, and March 11, 1872, and to repeal an act therein named, passed March 29, 1873	260, 287, 406, 450, 457, 602, 608	609

HOUSE BILLS—Continued.

Number.	Author and Title.	Proceedings.	Signed.
215	Mr. Myers of Fayette: To authorize county commissioners to levy a tax to keep in repair free turnpike roads	260, 287, 487, 522, 564, 573	....
216	Mr. Myers of Ashland: Relating to the infirmary of Ashland county	260, 287, 376, 406, 451, 500, 705, 745	745
217	Mr. Johnson: To amend section 141 of an act entitled an act to provide for the organization and government of municipal corporations, passed May 7, 1869	260, 288, 388, 415, 457, 558, 695	695
218	Mr. Beatty: To amend section 32 of an act for the relief of the poor, and to repeal certain acts therein named	260, 288, 327, 361, 398, 404, 407	....
219	Mr. Loomis: To authorize the purchase of additional lands for the use of the Blind Asylum	260, 298, 566, 568, 575	....
220	Mr. Howland, from the committee on Finance: To authorize the trustees of the township of New London, Huron county, to transfer moneys raised by a tax to build a railroad to the school fund for said township	263, 299, 340, 436, 479	479
221	Mr Scott: To repeal certain acts therein named	278, 299	....
222	Mr. Boyce: To amend an act entitled an act limiting the compensatian of certain officers therein named, passed April 6, 1870, and repealing section 1 of said act; and to amend section 5 of said act as amended by an act entitled an act to amend an act limiting the compensation of certain officers therein named, passed February 14, 1873, and repealing said section 5	278, 299, 327, 334, 342, 616, 695	695
223	Mr. Baker of Coshocton: To authorize the commissioners of the counties of Coshocton and Knox to build a bridge across the Mohican river, at or near the village of Rochester, in Tiverton township, Coshocton county	278, 299, 429	....
224	Mr. Geghan: To amend section 1 of an act to protect the elections of voluntary political associations, and punish frauds therein, passed February 24, 1871	278, 299, 548, 568, 572, 741, 755	755
225	Mr. Walker: Supplementary to an act entitled an act to authorize county commissioners to construct roads on petition of a majority of resident land-owners along and adjacent to the line of said road, and to repeal an act therein named, passed March 29, 1867	278, 299, 498	....
226	Mr. Hill: To prevent certain fraudulent practices	278, 299, 433, 454, 481, 497	....
227	Mr. Parker: To authorize the county commissioners of Brown and Highland counties to complete the unfinished p rt of the Ripley and Hillsboro free turnpike road	278, 299	....
228	Mr. Boyce: To amend an act entitled an act relating to wills, and to repeal former acts relating thereto, passed May 3, 1852	279, 299	....
229	Mr. Archer: Supplemental to the municipal code	279, 299, 636, 675, 707, 727	....

HOUSE BILLS—Continued.

Number.	Author and Title.	Proceedings.	Signed.
230	Mr. Eshelman: To amend an act entitled an act to amend section 1 of an act to regulate the sale of mineral oils and other substances for illuminating purposes, and to repeal an act entitled an act to provide for the inspection of mineral oils for illuminating purposes, passed April 16, 1867, passed April 27, 1872, passed February 7, 1873	279, 299	....
231	Mr. Sater: To protect sidewalks in certain cases specified	279, 299, 429, 631	....
232	Mr. Parker: Supplementary to an act entitled an act for the maintenance and support of illegitimate children, and to repeal certain acts therein named	279, 299, 375	....
233	Mr. Miller: To amend section 507 of an act to provide for the organization and government of municipal corporations, passed May 1, 1869, as amended February 14, 1873	279, 300, 494, 546, 561, 595	....
234	Mr. Faxon: To authorize the trustees of Lagrange township, Lorain county, Ohio, to borrow money to build a town hall	289, 300, 433, 442, 479, 722, 756	756
235	Mr. McLain: Providing for and regulating the publication of applications for local or special legislation	289, 300, 371, 391, 434, 463, 482	....
236	Mr. Pattison: To exempt from execution or seizure any fund set apart by benevolent associations or societies for the families of deceased members	289, 303, 375, 396, 401, 635, 696	696
237	Mr. Neff: Supplementary to an act entitled an act to authorize county treasurers to pay out money to township treasurers, city treasurers, treasurers of incorporated villages, and treasurers of boards of education, in advance, passed April 29, 1873	290, 303, 432, 442, 479, 622, 696	696
238	Mr. White: To apportion the State of Ohio into Congressional districts	291, 304, 465, 502, 517, 519, 752	....
239	Mr. Hill: Supplementary to an act entitled an act to authorize the board of education of the separate school district of the village of Caledonia, Claridon township, Marion county, Ohio, to issue bonds and borrow money	295, 304, 311, 353, 355, 460, 480	480
240	Mr. Myers of Ashland: To authorize the board of education of Jeromeville school district, in the county of Ashland, embracing the incorporated village of Jeromeville and adjacent territory, to borrow money and to levy a tax for the purpose of building a school-house	295, 304, 343	....
241	Mr. Case: To create a joint sub-district for school purposes in the townships of Starr and Green, in Hocking county, Ohio	[622, 626, 696 295, 304, 316, 353, 366, 415, 468,	696
242	Mr. Pattison: To amend section 7 of an act entitled an act to require mortgages or bills of sale of personal property to be deposited with the township clerks, passed February 24, 1846	295, 304, 498, 522, 567, 674	....

HOUSE BILLS—Continued.

Number.	Author and Title.	Proceedings.	Signed.
243	Mr. Boyce; To authorize the abandonment of a part of the Miami and Erie canal	300, 325	....
244	Mr. Miller: To authorize the issuing of bonds, and to regulate the making of contracts in certain cities	[685, 697, 701 ..300, 325, 373, 415, 468, 652, 653,	701
245	Mr. Blake: To authorize the trustees of Atwater township, Portage county, to levy a tax for certain purposes therein named	300, 325, 374, 406, 450	....
246	Mr. Pattison: To amend section 439 of an act entitled an act to provide for the organization and government of municipal corporations, passed May 7, 1869	300, 326, 547, 568, 572, 718	....
247	Mr. Richards: For the protection of livery-stable keepers and others	310, 326, 344, 393, 415, 471	....
248	Mr. Archer: To prohibit and punish certain offenses therein mentioned	310, 326, 430	....
249	Mr. Case: To authorize boards of education to purchase text-books	[519, 712 ..310, 326, 378, 406, 457, 501, 517,	
250	Mr. Munson: To provide for the repair of free turnpike roads	[621, 623, 748, 760 ..324, 332, 436, 517, 563, 578, 600,	760
251	Mr. Green: Supplementary to the several acts relating to the collection of delinquent taxes	..324, 332, 377, 406, 457, 622, 695	695
252	Mr. Archer: To amend sections 1, 5, and 9 of an act entitled an act to establish boards of control, and to prescribe their duties, passed March 13, 1872	324, 332, 421	....
253	Mr. Haag: For the relief of David L. Wood, ex-Quartermaster-General of the state	326, 332, 491, 517	....
254	Mr. Myers of Fayette: Supplementary to an act entitled an act to provide for locating establishing, and constructing ditches, drains, and water-courses in townships, passed May 6, 1868	326, 333, 736, 748	....
255	Mr. Thompson of Montgomery: To amend section 60 of an act to provide for the organization and government of municipal corporations, passed May 7, 1869, as amended April 18, 1870	326, 333	....
256	Mr. Haag: To provide for the introduction and efficiency of testimony in certain cases	326, 333, 547	....
257	Mr. McCloud: Supplementary to an act entitled an act to authorize the county commissioners to construct roads on a petition of a majority of resident land owners along and adjacent to the line of said road, and to repeal an act therein named, passed and took effect March 29, 1867, and supplementary to the acts amendatory thereof	326, 386, 487	....
258	Mr. White: To amend section 26 of an act entitled an act relating to ditches, passed April 12, 1871	342, 387	....
259	Mr. Holloway: To create two election precincts in the township of Salem, Columbiana county	..342, 387, 496, 510, 514, 741, 755	755
260	Mr. Inman: To amend section fifteen of an act entitled an act relating to juries, passed April 26th, 1873	342, 387	....

HOUSE BILLS—Continued.

Number.	Author and Title.	Proceedings.	Signed.
261	Mr. Green: To create a joint sub-district for school purposes in the township of Miami, Logan county, Adams township, Champaign county, and Perry township, Shelby county, Ohio	343, 387, 492, 517, 564, 684, 708	708
262	Mr. Miller: To amend section 335 of an act entitled an act to provide for the organization and government of municipal corporations, passed April 9, 1869, as amended April 18, 1870	[570, 592, 607, 720 343, 387, 494, 517, 565, 566, 568,	....
263	Mr. Loomis: Supplementary to an act entitled an act for the relief of the poor, etc., passed April 26, 1872	343, 387, 388, 495, 501, 522, 567, 568	....
264	Mr. Grosvenor: To provide for the republication of certain volumes of the Ohio State Reports	[621, 629, 721, 756 343, 387, 493, 522, 556, 572, 593,	756
265	Mr. Walker: To fix the prices for legal advertising	343, 387, 589, 621, 661, 708	....
266	Mr. Faxon: To repeal an act therein named	343, 387	....
267	Mr. Gordon: To authorize the trustees of Spencer township, Hamilton county, to sell the township hall	343, 387, 496, 516, 559, 653, 759	759
268	Mr. Eshelman: To authorize the commissioners of Wayne county to borrow money on the bonds of the county to discharge the existing liabilities of said county, and to defray its current expenses	365, 387, 464, 474, 476, 603, 631	631
269	Mr. Gordon: To authorize the trustees of Columbia township, Hamilton county, to issue bonds for certain purposes	365, 387, 489	....
270	Mr. Loomis: To authorize the board of education of the incorporated village of Medina to take up outstanding bonds and issue new bonds with extended time	370, 388, 430, 476, 622, 696	696
271	Mr. Ramsey: To provide for the removal of the seat of justice from West Union, in Adams county, Ohio, to Manchester, in said county	371, 405	....
272	Mr. Mesloh: To amend section 1 of the act entitled an act to require county commissioners to construct approaches to bridges	371, 456, 439, 463, 483, 754, 760	760
273	Mr. Howland: To amend section 20 of an act entitled an act prescribing the duties of county auditors, passed and took effect April 4, 1859, as amended January 16, 1870	371, 405, 486, 622	....
274	Mr. Light: To authorize the citizens of the village of Leipsic, Putnam county, to hold a special election	371, 388, 494, 503, 602, 694	694
275	Mr. Pearson: To authorize the county commissioners of any county to locate and improve roads in certain specified cases	388, 394, 421, 487, 511	....
276	Mr. Thompson of Lucas: To authorize the commissioners of Lucas county to levy a tax for the purpose of purchasing and improving additional grounds for the Lucas County Agricultural Soceity	388, 434, 442, 479, 634, 724	724

HOUSE BILLS—Continued.

Number.	Author and Title.	Proceedings.	Signed.
277	Mr. Myers of Ashland: To amend an act entitled an act to amend the 1st section of an act regulating the fees of sheriffs in civil and criminal cases, passed March 13, 1836, and took effect June 1, 1836, and amended April 13, 1865	388, 421	....
278	By the committee on Claims: For the relief of George C. Wilson	391, 437, 497, 510, 563	....
279	Mr. McCloud: To authorize the Board of Public Works to construct a culvert across the National road in Deer creek township, Madison county, Ohio	391, 438, 589, 607, 619, 621, 728	....
280	Mr. Herron: For the consolidation of sub-school districts numbers five and six, in Rumley township, Harrison county, Ohio, into one sub-school district, to be known as sub-school district number five	394, 438, 592, 607, 685, 708	708
281	Mr. Richards: To create a special school district in Wayne and Smithfield townships, Jefferson county, Ohio	394, 438	....
282	Mr. Beatty: To change the time fixed for holding the district court for the year 1874 in the county of Logan	404, 406, 417, 463	463
284	Mr. Pattison: To amend an act entitled an act defining the powers and duties of justices of the peace, and constables in criminal cases, passed March 27, 1837, took effect July 4, 1837	404, 466, 590, 607, 619, 627, 692, 745	745
285	Mr. Lewis: To provide for a more economical management and better regulation of hospitals for the insane	[528, 529, 530, 532, 704, 710, 738 419, 466, 488, 517, 519, 523, 524, 526,	738
286	Mr. Carnahan: To authorize the trustees of Orange township, Carroll county, to join with the council of the incorporated village of Leesville, in said township, in the construction of a town hall, for the joint use of said township and village, and to authorize private persons to join with them in the construction of said hall	[709, 758 419, 466, 495, 510, 511, 517, 704,	758
287	Mr. Thompson of Montgomery: For the relief of Walter Crook	428, 466, 504, 510, 741	....
288	Mr. Holloway: To punish intoxication	428, 466	....
289	Mr. Vincent: To amend an act authorizing township trustees to levy a tax to purchase a site and erect a township house thereon, passed May 6, 1869	428, 466, 590, 702, 745	746
290	Mr. White: To provide for the payment of a town hall and place for holding elections in the township of Polk, Crawford county, Ohio	428, 466, 732	....
291	Mr. Heitmann: To amend an act entitled an act to amend an act entitled an act to provide for the organization and government of municipal corporations, passed May 7, 1869, passed April 18, 1870	429, 466	....
292	Mr. Gowey: To amend section 16 of an act for the relief of the poor, and to repeal certain acts therein named, passed April 26, 1872, passed May 5, 1873	429, 466, 589	....

HOUSE BILLS—Continued.

Number.	Author and Title.	Proceedings.	Signed.
293	Mr. Weible: To amend section 19 of an act entitled an act to amend sections 9 and 19 of an act authorizing county commissioners to purchase land for the use of court-houses, jails and county infirmaries, and to erect buildings thereon, to build bridges and prescribing their duties in the construction of additions to or alterations of any court-house, jail, county infirmary or bridge, and to repeal certain acts and parts of acts therein named, passed April 27, 1869, passed May 1, 1871	429, 466	....
294	Mr. Barrett: To amend section 8 of an act entitled an act to provide against the evils resulting from the sale of intoxicating liquors in the State of Ohio, passed May 1, 1854	429, 467	....
295	Mr. Weible: For the relief of Peter Phelan, James Webster and John M. C. Marble	429, 467	....
296	Mr Barrett: To create a separate school district in Beaver Creek township, Greene county	434, 467	....
297	Mr. Case: To authorize the commissioners to receive donations and make appropriations for a purpose therein named	438, 475, 497, 517, 557, 705, 746	746
298	Mr. Oren: To authorize county commissioners to repair improved roads in certain cases	438, 475, 548, 557, 568, 594, 753	753
299	Mr. Neff: To amend an act entitled an act supplementary to an act entitled an act for the assessment and taxation of property in this State, and for levying taxes thereon according to its true value in money, passed April 5, 1859	438, 475, 584	....
300	Mr. McCloud: To authorize the President and Secretary of the Madison County Agricultural Society to sell and convey certain lands	439, 476, 557, 561, 569, 674, 708	708
301	Mr. Baker of Perry: To provide for the creation and regulation of annuity, assurance and trust companies	439, 546, 740	....
302	Mr. Neff: To repeal an act therein named	439, 546, 584	....
303	Mr. Herron: To prevent the indiscriminate sale of spiritous, vinous and malt liquors in the State of Ohio	439, 546	...
304	Mr. Myers of Ashland: To amend an act entitled an act regulating the Commercial Hospital of Cincinnati, passed March 11, 1861, and to repeal certain amendments thereto, passed February 29, 1864	[747 439, 546, 579, 607, 620, 637, 736,	....
305	Mr. Howland: To amend section 34 of an act to regulate the election of state and county officers, passed May 3, 1852	[755 439, 546, 591, 607, 620, 627, 741,	755
306	Mr. Sater: To amend section 19 of an act for the relief of the poor, passed April 26, 1872	439, 506, 547, 568, 572, 713, 753	753
307	Mr. Pattison: For the relief of the county treasury of Brown county, Ohio	474, 546, 561, 570	....
308	Mr. Chapman of Meigs: To create two election precincts in Scipio township, Meigs county	474, 546, 557, 724, 756	756

HOUSE BILLS—Continued.

Number.	Author and Title.	Proceedings.	Signed.
309	Mr. Norton: To amend an act entitled an act supplementary to an act entitled an act to provide for the organization and government of municipal corporations, passed May 7, 1869, passed April 28, 1873.	.. 483, 510, 556, 568, 702, 718, 728	....
310	Mr. Williams: To enable trustees of religious denominations to become incorporated, and defining their powers	[755 483, 548, 586, 607, 620, 628, 724,	755
311	Mr. Williams: Creating a special school district in the township of Berlin, Delaware county	.....483, 548, 589	....
312	Mr Poe: To amend section 29 of an act establishing the superior court for the city of Cleveland, passed May 5, 1873	[708 483, 509, 510, 517, 541, 542, 674,	708
313	Mr. Boyce: For the relief of John D. Vance, late sergeant-major of the Twenty-fourth Ohio Volunteer Infantry	.....483, 548	....
314	Mr. Pattison: To amend section 5 of an act entitled an act regulating the Commercial Hospital of Cincinnati, passed March 11, 1861, as amended by an act passed March 1, 1870	.. 483, 527, 583, 607, 610, 620, 621	....
315	Mr. Chapman of Cuyahoga: To encourage the planting and cultivation of trees	.....484, 548	....
316	Mr. Varley: To amend and extend the provisions of an act to raise revenue, protect sheep and confiscate dogs, passed April 28, and took effect May 1, 1862	.....484, 548	....
317	Mr. Beatty: To authorize the board of education of the Huntsville school district, in the county of Logan, to borrow money and issue bonds to build a school-house, or addition to the school-house in said village, and to purchase additional territory to school-house lot	.....484, 548, 561, 570, 712, 752	752
318	Mr. Grosvenor: To vacate so much of the Hocking canal as lies eastward of the lock at the village of Chauncy, in Athens county	..... 484, 549, 585, 598, 749	....
319	Mr. Herron: To amend and supplementary to an act entitled an act to declare the true intent and meaning of the first section of the act entitled an act to amend an act to establish an University in the town of Athens, passed February 21, A D. 1805, passed March 10, 1843	.....484, 549	....
320	Mr McClord: To regulate the Ohio Soldiers' and Sailors' Orphans' Home, located at Xenia, and to repeal an act entitled an act to establish Ohio Soldiers' and Sailors' Orphans' Home, passed April 14, 1870; also, an act entitled an act to amend section 6 of an act to establish Ohio Soldiers' and Sailors' Orphans' Home, passed April 25, 1872	[656, 672, 743, 752 484, 549, 579, 607, 620, 628, 639,	752
321	Mr. Morris: To amend section 9 of an act entitled an act concerniug divorce and alimony, passed March 11, 1853, as amended March 1, 1870, and amended February 27, 1873	.....485, 551, 657, 693, 720	....

HOUSE BILLS—Continued.

Number.	Author and Title.	Proceedings.	Signed.
322	Mr. Archer: To amend an act entitled an act to prevent cruelty to animals, passed April 4, 1871	485, 551, 584, 621, 659, 707, 727	....
323	Mr. Green: To change the time fixed for holding the second term of the court of common pleas for the year 1874 in the county of Shelby	485, 554, 555, 622, 696	696
324	Mr. Johnson: to authorize the commissioners of Scioto county to levy an additional tax	485, 554, 586, 607, 673, 753	753
325	Mr. McLain: To amend section 1 of the act passed March 9, 1867, entitled an act to amend section 3 of an act to regulate fees of clerks of the court of common pleas, passed April 13, 1865	485, 554, 591	....
326	Mr. Beatty: To amend sections 3 and 4 of an act regulating sales at auction, passed March 16, 1840, and took effect March 1, 1841	485, 554, 585	....
327	Mr. Loomis: To prevent county recorders from acting as conveyancers, etc	486, 554, 607, 662, 705	....
328	Mr. Norton: To provide for the more economical management and better regulation of certain benevolent and certain reformatory institutions of the State, and to repeal certain acts and parts of acts therein named	502, 554	....
329	Mr. Beatty: To relieve sureties of executors and administrators, and to punish them for certain offenses therein named	512, 555, 612, 621, 659, 690, 713	...
330	Mr. Pearson: To amend section 199 of an act to provide for the organization and government of municipal corporations, passed May 7, 1869, as amended April 18, 1870	534, 561, 657, 675, 685, 738	....
331	Mr. Hodge: To amend section 1 of an act entitled an act to regulate the platting of lands and laying out of streets in municipal corporations, passed March 13, 1871	553, 610, 636, 639, 702, 758	758
332	Mr Blake: To authorize the trustees of Mantua township, Portage county, Ohio, to levy a tax for certain purposes therein named	554, 610	....
333	Mr. Brunner: To provide for publishing the new constitution	576, 624, 630, 632	....
334	Mr. Beach: To authorize the president and secretary of the Knox County Agricultural Society to sell and convey certain lands	576	....
335	Mr. Howland: To authorize the trustees of the township of Harpersfield, Ashtabula county, to sell and convey certain real estate therein named, and purchase other lands with the proceeds	578, 631, 712, 752	752
336	Mr. Hardy: To amend an act entitled an act authorizing county commissioners to levy a tax for road purposes in certain cases, passed April 30, 1869	578, 664	....
337	Mr. Archer: To authorize the commissioners of Hamilton county to make a cut-off for the straightening of Mill creek	578, 613, 734	....

HOUSE BILLS—Continued.

Number.	Author and Title.	Proceedings.	Signed.
338	Mr. Tryon: To amend sections 211, 212, and 213 of an act entitled an act to establish a code of criminal procedure for the State of Ohio, passed May 6, 1869	578, 614	
339	Mr. Baker of Coshocton: To amend an act entitled an act to amend an act passed and took effect April 5, 1869	578, 614	
340	Mr. Archer: To repeal an act entitled an act to incorporate the Union Bridge Company, passed February 11, 1832	578, 732	
341	Mr. Martin: For the relief of Wm. Van Doren	589, 621, 636, 675, 750	
342	Mr. McCloud: To prevent the sale of intoxicating liquors at or near the Ohio Soldiers' and Sailors' Orphans' Home	592, 607, 608, 653, 696, 708	
343	Mr. Mesloh: To change the time fixed for holding the second term of the court of common pleas for the year 1874 in the county of Auglaize	594, 620, 621, 741, 754	754
344	Mr. Armstrong of Guernsey: To authorize the trustees of the school district composed of the town of Cumberland, in Guernsey county, to issue bonds to pay an existing indebtedness, and levy a tax to pay the same	609, 657, 693, 697	
345	Mr. McCoy: To provide for the reclamation and sale of certain lands granted to the State of Ohio by the United States and by individuals, and for the survey and sale of other lands in said State, which have been or may hereafter be granted to the State, in order to provide for the better support of the Ohio Agricultural and Mechanical College	609, 621, 734	
346	Mr. Ramsay: To authorize the trustees of Scott township, Adams county, to levy a tax and build a foot-bridge across Buck run, in said county	609, 621, 664, 665, 750, 758	758
347	Mr. Thompson of Montgomery: To authorize the citizens of the village of Brookville, Montgomery county, to hold a special election	612, 632, 636, 661, 754, 758,	758
348	Mr. Grosvenor: To enable certain trustees of the Church of Christ, at Nelsonville, Athens county, to convey certain real estate	625, 641, 728, 756	756
349	Mr. Morris: Supplementary to an act for the relief of the poor, and to repeal certain acts therein named, passed April 26, 1872	657	
350	Mr. Geghan: Amendatory and supplemental of an act entitled an act to organize and regulate an independent militia, passed April 18, 1870	657, 700, 734	
351	Mr. Miller: To amend section 4 of an act to amend sections 28, 181, 313 and 314, as amended February 6, 1866; 374 as amended March 29, 1855; 517, 526, 532 and 557 of the code of civil procedure, passed April 18, 1870	661	

HOUSE BILLS—Continued.

Number.	Author and Title.	Proceedings.	Signed.
352	Mr. McKinley: To amend section 1 of an act entitled an act providing for the election of county auditors and prescribing their duties, passed April 18, 1870	662, 731	
354	Mr. Scott: To amend section 9 of the act entitled an act supplementary to an act to provide for the creation and regulation of incorporated companies in the State of Ohio, passed May 1, 1852, passed April 15, 1867, as amended February 25, 1869	689, 711, 744, 753	753
355	Mr. Watson: To limit the appointments to office in the punitive, reformatory and benevolent institutions of the State	725	
356	Mr. Munson: To amend section 8 of an act entitled an act to provide for locating, establishing and constructing ditches and drains above, through and below the Scioto Marsh, in Hardin county, passed January 6, 1873	725	
357	Mr. Beatty: To further provide against the evils resulting from the sale of intoxicating liquors in the State of Ohio	729	
358	Mr. Blake: To amend an act entitled an act to establish a uniform standard of weights and measures, passed April 5, 1857, as amended by an act to amend an act entitled an act to establish a uniform standard of weights and measures, passed March 21, 1863, passed February 21, 1873	729	

SENATE BILLS.

Number.	Author and Title.	Proceedings.	Signed.
1	Mr. Jones: To repeal certain acts therein named	104, 108	....
4	Mr. Jones: To amend section 13 of the act of May 1, 1852, entitled an act to provide for the creation and regulation of incorporated companies in the State of Ohio, as amended April 25, 1873	[522, 545, 550, 756, 756 121, 124, 328, 361, 398, 418, 426,	756
6	Mr. Newman: To authorize the Governor to use a stamp in affixing his signature to official papers	72, 73, 80, 100	100
7	Mr. Curtiss: To authorize the trustees of Bedford township, Cuyahoga county, to levy a special tax and issue bonds for the purpose therein named	293, 294, 298, 378, 403, 425	425
8	Mr. Wallace: To amend section 543 of the act to provide for the organization and government of municipal corporations, passed May 7, 1869, and as amended May 2, 1871	[428, 456, 552 219, 228, 232, 347, 361, 370, 371,	552
9	Mr. Butterworth: To amend section 313 of the code of civil procedure, as amended May 2, 1871	294, 298, 495, 516, 561, 599, 645	645
10	Mr. Butterworth: To amend section 28 of the code of civil procedure, passed April 18, 1870	[507, 552 177, 195, 281, 319, 433, 454, 467,	552
11	Mr. Buell: To authorize the commissioners of Washington county to establish and construct a public road in Belpre township, of said county	104, 108, 178, 198, 221, 276	....
12	Mr. Rukenbrod: To amend and extend the provisions of an act passed March 10, 1873, entitled an act supplemental to an act entitled an act to provide for the creation and regulation of incorporated companies, in the State of Ohio, passed May 1, 1852	121, 124, 344, 397, 451	451
14	Mr. Thompson: To establish a State Board of Centennial Managers	121, 124, 125, 173, 264	264
16	Mr. Worthington: To amend the first section of an act entitled an act to provide for the proof, acknowledgment and recording of deeds and other instruments of writing, passed February 21, 1831, took effect June 1, 1831	201, 207, 261, 266	....
18	Mr Hudson: To enable manufacturing companies to capitalize their debts by increasing their capital stock and creating preference shares, and to repeal the act passed April 11, 1862	138, 143, 263, 274, 288, 304, 362	362
22	Mr. Andrews: To amend sections 1 and 2 of the act entitled an act to authorize the board of education of the incorporated village of Wapakoneta, Auglaize county, to borrow money and issue bonds to build a school-house, or additions to the school-house in said town	121, 124, 217, 230, 233, 264	264
23	Mr. Burns: For the relief of the county treasury of Richland county	138, 143, 218, 230, 239, 276	276
24	Mr. Worthington: For the relief of medical colleges	138, 143, 181, 113, 315,	315

SENATE BILLS—Continued.

Number.	Author and Title.	Proceedings.	Signed.
25	Mr. Worthington: To amend the second section of an act entitled an act to amend the first and second sections of an act entitled an act regulating descents and distributions of personal estates, passed March 14, 1853, passed and took effect March 4, 1865	264, 287, 379	
26	Mr. Ellis: Authorizing the trustees of Jefferson township, Muskingum county, to appropriate certain moneys belonging to said township on Main street, in the village of Dresden	231, 232, 240, 246, 290, 341, 425	425
28	Mr. Knox: To amend section 2 of an act to establish a code of criminal procedure for the State of Ohio, passed May 6, 1869, took effect August 1, 1869	544, 554, 555, 590, 652	652
30	Mr. Butterworth: For the prosecution and punishment of certain offenses therein named	[599, 645 177, 196, 346, 400, 512, 516, 562,	645
33	Mr. Worthington: To amend and repeal certain acts therein named	541, 554, 733	
35	Mr. Waddle: To amend section 13 of an act entitled an act to amend sections 12 and 13 of an act to provide for locating, establishing and constructing ditches, drains and water-courses in townships, and to repeal a certain act therein named	201, 207	
39	Mr. Hathaway: To amend section 8 of an act entitled an act to regulate insurance companies doing an insurance business in the State of Ohio, passed April 27, 1872, passed April 24, 1873	201, 207, 566, 574, 652	652
40	Mr. Seitz: To amend an act entitled an act to regulate and govern the Ohio Penitentiary, passed April 1, 1867	364, 383, 465, 516, 518, 544, 551	551
43	Mr. Reese: To amend an act entitled an act to provide for the creation and regulation of incorporated companies in the State of Ohio, passed May 2, 1871	436, 446, 486, 552	552
45	Mr. Buell: To amend section 44 of an act entitled an act for the assessment and taxation of property in this State, and for levying taxes thereon according to its true value in money, passed May 8, 1868	[712, 718, 740 293, 298, 658, 692, 696, 705, 706,	740
46	Mr. Worthington: To amend an act entitled an act to amend section 540 of the muicipal code, as amended April 18, 1870, passed March 12, 1873	403, 405, 493	
47	Mr. Fisher: Supplementary to an act entitled an act to exempt specific articles of personal property from execution	384, 396, 420, 491, 562, 604	604
48	Mr. Yeoman: For the protection of certain burial grounds	403, 405, 664, 740	740
49	Mr. Lawrence: Supplementary to an act entitled an act for the organization and government of common schools, passed May 1, 1873	294, 298, 378, 406, 448, 508, 552	552

SENATE BILLS—Continued.

Number.	Author and Title.	Proceedings.	Signed.
51	Mr. Jones: Supplementary to the code of criminal procedure for the State of Ohio, to provide for the mode of taking bail in criminal cases, and the justification of sureties therein	229, 232, 328, 370, 425	425
52	Mr. Jones: To amend section 464 of an act to establish a code of civil procedure, passed March 11, 1853	229, 232, 373, 447, 552	552
53	Mr. Burton: To amend section 394 of the municipal code, passed May 7, 1869	558, 561	....
55	Mr Ferrall: To amend the 11th section of an act entitled an act regulating the mode of administering assignments in trust for the benefit of creditors, passed and took effect April 6, 1859	244, 252, 275, 287, 300, 425	425
56	Mr. Seitz: Supplementary to an act entitled an act relating to ditches, passed April 12, 1871	253, 275, 287, 339, 377, 402, 425	425
57	Mr. Butterworth: To amend section 1 of an act entitled an act to enable associations of persons for building hotels and for other purposes to become bodies corporate, passed April 5, 1866, as amended by an act passed April 25, 1868	522, 543, 588, 652	652
58	Mr. Rukenbrod: Supplementary to an act entitled an act for the establishment, support and regulation of children's homes in the several counties of the State, and repealing a certain act therein named, passed and took effect April 7, 1867	417, 420, 440, 467, 552	552
59	Mr Newman: To authorize a special term of the district court of Adams county	[463, 470, 552 294, 298, 372, 395, 415, 448, 457,	552
60	Mr. Potter: To authorize the city of Toledo to borrow money	264, 287, 310, 322, 362	362
61	Mr. Morris: To re-district cities of the second class	369, 383, 394, 407, 468, 501	....
62	Mr. Thompson: To authorize the board of county commissioners of the county of Franklin, Ohio, to use and apply unexpended moneys levied and collected upon the duplicate of said county for the erection of a new building for the infirmary of said county, in payment of the interest and principal of the Agricultural and Mechanical College bonds of said county	294, 298, 299, 433, 449, 552	552
69	Mr. Thompson: To amend sections 435 and 436 of an act entitled an act to provide for the organization and government of municipal corporations, passed May 7, 1869, and section 435 as amended April 18, 1870	477, 510, 612, 630, 682	682
70	Mr. Thompson: Prescribing the rate of taxation for county, bridge, road, and township purposes, and to repeal certain acts therein named	[621, 637, 659 427, 437, 525, 595, 600, 605, 607,	....
71	Mr. Potter: To amend the act entitled an act to establish and maintain an agricultural and mechanical college in Ohio, passed March 22, 1870	363, 387, 503, 504, 538, 541, 559, 564, 600, 601, 614, 626, 633, 673, 701	701

SENATE BILLS—Continued.

Number.	Author and Title.	Proceedings.	Signed.
72	Mr. Jones: To provide for the disposition of unclaimed freight and express packages, and to amend an act entitled an act providing for the disposition of unclaimed freight and express packages, passed April 16, 1867	522, 543, 611, 621, 628, 746	....
73	Mr. Reid: To amend section 1 of an act entitled an act supplementary to an act to provide for the creation and regulation of incorporated companies in the State of Ohio, passed May 1, 1862, passed April 12, 1865, as amended February 18, 1873	284, 295, 591, 598	....
74	Mr. Thompson: Prescribing the rate of State taxes, and to repeal an act therein named	462, 475, 693, 723, 742, 755	755
76	Mr. Potter: To amend section 3 of an act to incorporate humane societies, and supplementary to the act to prevent cruelty to animals, passed April 15, 1873	437, 446	....
77	Mr. Morris: Supplementary to the act entitled an act to regulate the election of State and county officers, passed May 3, 1852	253, 266, 283	283
78	Mr. Burton: To amend sections 23, 24, and 25 of an act for the reorganization and maintenance of common schools, passed May 1, 1873	318, 325, 552	552
81	Mr. Yeoman: To amend section 3 of the act entitled an act to provide for the semi-annual collection of taxes, passed April 2, 1859	437, 446	....
84	Mr. Kerr: To repeal an act entitled an act to incorporate the Union Bridge Company, passed February 11, 1832	702, 724, 755	755
85	Mr. Reid: To amend sections 52 and 53 of an act entitled an act to provide for the uniform government and better regulation of the lunatic asylums of the State, and the care of idiots and the insane, passed and took effect April 7, 1856	437, 447, 489, 516, 540, 551, 560	560
86	Mr. Hudson: To secure the wages of labor	634	....
87	Mr. Hudson: To amend sections 9 and 10 of an act entitled an act for the reorganization and government of municipal corporations, passed May 7, 1869	330, 333, 493, 516, 534, 604	604
88	Mr. Laughlin: To amend section 21 of an act entitled an act to amend sections 18 and 21 of the act relating to roads and highways, passed March 9, 1868, and amended April 8, 1868	417, 420, 439	....
89	Mr. Butterworth: To amend an act entitled an act to establish a code of criminal procedure for the State of Ohio, passed May 6, 1869	318, 325, 372, 438, 440, 447, 552	552
90	Mr. Burton: To amend sections 1 and 2 of an act entitled an act to amend an act entitled an act to regulate the standard per bushel of stone coal and the measure of cord wood, and to renumber section 3, and repeal sections 1 and 2, passed April 29, 1872	463, 475, 664, 720, 730, 742	....

SENATE BILLS—Continued.

Number.	Author and Title.	Proceedings.	Signed.
92	Mr. Worthington: Limiting the rates of taxation in municipal corporations, and to repeal the act entitled an act limiting the rate of taxation in municipal corporations, passed May 2, 1871	477, 543, 731	....
94	Mr. Goodhue: To define and establish the practice in the trials for the contesting of wills	719, 727	....
98	Mr. Bingham: To amend an act entitled an act to incorporate sharpshooters' associations, passed March 6, 1867	[721 499, 543, 585, 621, 659, 707, 716,	....
99	Mr. Goodhue: To authorize the incorporation of companies for the sale of goods and merchandise	676, 689, 732, 755	755
100	Mr. Potter: To extend the provisions of an act entitled an act supplementary to an act to provide for the organization and government of municipal corporations, passed May 7, 1869, amended January 29, 1873, to cities of the first class which have been advanced to that grade during decennial periods	437, 447, 497, 514, 544, 551	551
101	Mr. Potter: To repeal an act entitled an act to provide for the organization, regulation and more efficient government of the police in cities of the first class which have been advanced to that grade between decennial periods, passed May 5, 1868, and for other purposes	437, 447, 665	....
102	Mr Worthington: To organize a board of commissioners for the construction of the Central Lunatic Asylum	463, 475, 500, 517, 560	560
105	Mr. Rukenbrod: To amend section 5 of an act entitled an act to provide for a uniform standard of weights and measures, passed April 11, 1861	437, 447, 515, 523	....
107	Mr. Corwin: To extend the provisions of the act entitled an act to promote and encourage law library associations, passed April 27, 1872	359, 387, 514	552
108	Mr. Kerr: To amend section 161 of an act entitled an act to provide for the settlement of the estates of deceased persons, passed March 23, 1840	437, 441, 493, 522, 562, 615, 701	701
110	Mr. Butterworth: To amend an act entitled an act to provide for the organization and government of municipal corporations	683, 689, 731, 741, 755	755
112	Mr. Burns: For the relief of the board of education of the city of Mansfield, Ohio	426, 437, 492, 516, 544, 551	551
114	Mr. Sheridan: To authorize boards of education of incorporated villages and special school districts in the State of Ohio to determine on places to pay interest and principal of bonds of which they are authorized to issue and sell	499, 543	....
115	Mr. Sheridan: To authorize the board of education of special school district No. 1, of Hicksville township, Defiance county, Ohio, to borrow money and issue bonds for purchasing a site and building a school house in said special school district	623, 662, 707, 740	740

SENATE BILLS—Continued.

Number.	Author and Title.	Proceedings.	Signed.
119	Mr. Burns: To amend the first section of an act entitled an act relating to wills, and the repeal of former acts relating thereto, passed May 3, 1852, took effect June 1, 1852	478, 511, 551	551
122	Mr Ferrall: To amend section 1 of an act entitled an act to regulate the compensation of sheriffs for keeping and providing for prisoners in jail, and to repeal certain acts therein named, passed March 13, 1866	462, 475, 587	....
123	Mr. Worthington: Granting the consent of the General Assembly of the State of Ohio to the Government of the United States to acquire, by purchase or otherwise, lands within the State of Ohio needed for the improvement of the navigation of the Ohio river	477, 543, 730	....
124	Mr. Waddle: To amend section 7 of an act entitled an act to amend an act entitled an act to amend section 7 of an act further to prescribe the duties of county commissioners, passed April 8, 1856, as amended February 26, 1857, passed May 7, 1869, as amended by an act passed March 13, 1872	623, 636, 664, 709, 740	740
125	Mr. Buell: To authorize the commissioners of Washington county to levy a tax for constructing a road	522, 543, 663, 709, 718	....
126	Mr. Yeoman: To authorize certain incorporated companies to hold property and carry on business in any county in the State, and beyond the limits thereof, and also to take stock in other companies	604, 610, 651	651
127	Mr. Buell: To amend section 6 of an act entitled an act to prevent cruelty to animals, passed April 4, 1871	[660, 719, 740 462, 475, 555, 561, 569, 621, 659,	740
128	Mr. Knox: To authorize the trustees of Cadiz township, Harrison county, to transfer certain money from the railroad fund to the township fund, and to pay certain local bounties	623, 636, 661, 701	701
129	Mr. Thompson: To amend sections 1, 2, 5, 6, and 7 of an act entitled an act to reorganize the Institution for the Education of the Blind, and to repeal certain laws heretofore passed, passed and took effect April 6, 1866, and section 2, as amended March 10, 1873	545, 554, 576, 596, 598, 640, 743, 756	756
130	Mr. Fisher: Supplementary to an act passed April 30, 1869, entitled an act to amend section 4 of an act entitled an act for opening and regulating roads and highways, passed January 27, 1853	522, 543, 586, 614, 682	682
131	Mr. Hudson: To create two election precincts in Put-in-Bay township, Ottawa county	545, 604	604
132	Mr. Fisher: To authorize the commissioners of the counties of Coshocton and Knox to build a bridge across the Mohican river, at or near the village of Rochester, in Tiverton township, Coshocton county	604, 610, 662, 722	738

SENATE BILLS—Continued.

Number.	Author and Title.	Proceedings.	Signed.
133	Mr Worthington: Supplemental to an act entitled an act for the inspection of gas meters, the protection of gas consumers, and the protection and regulation of gas companies, passed March 16, 1866	718, 726, 737	....
134	Mr. Knox: Prescribing the terms of sale of section 16 of the original surveyed township 10, range 4, in Harrison county	477, 507, 588, 625, 682	682
135	Mr. Burns: To authorize the trustees of Sharon township, Richland county, Ohio, to pay a balance on a certain promissory note out of the general funds of said county	623, 636, 658, 692, 705, 717, 740	740
136	Mr Fisher: For the protection of livery-stable keepers	634, 659	...
137	Mr. Fisher: To protect mechanics and other laborers in the quiet and peaceable pursuit of their avocations	633, 666	...
139	Mr. Burton: To authorize the county commissioners of Hamilton county to become vested with the title of, and to sell certain lands, and to use the proceeds thereof, in connection with other funds, in the erection of additional buildings for Longview Asylum	633, 664, 663, 665, 682	682
140	Mr. Potter: To authorize the issuing of floating debt bonds in cities of the first class having a population of less than one hundred thousand	656, 662, 695, 740	740
142	Mr. Tressler: To provide for the removal of the seat of justice of Wood county from the incorporated village of Bowling Green to that of Perrysburg, in said county, and to authorize the mayor and town council of the incorporated village of Perrysburg and the trustees of the township of Perrysburg, in said county, to donate and convey certain property in case of such removal	660, 677, 682	....
144	Mr. Jones: To authorize the board of education of the special school district of Mineral Ridge, Trumbull county, to borrow money and issue bonds therefor	611, 612, 712, 740	740
145	Mr. Yeoman: To authorize the trustees of Paint township, Fayette county, Ohio, to divide said township so as to create two election precincts	683, 730, 755	755
146	Mr Potter: To authorize the trustees of Manhattan township, Lucas county, Ohio, to borrow money	623, 663, 698, 740	740
148	Mr. Newman: To amend section 1 of an act entitled an act to fix the rates of toll on turnpike and plankroad companies, passed March 16, 1865	721, 726	...
150	Mr. Ellis: To authorize the city council of the city of Zanesville, Ohio, to issue bonds and borrow money for the purchase of additional cemetery grounds	623, 663, 722	....
151	Mr. Burton: To amend an act entitled an act to regulate the practice of pharmacy in certain cities of the first class, and for other purposes, passed May 5, 1873	728	....

SENATE BILLS—Continued.

Number.	Author and Title.	Proceedings.	Signed.
156	Mr. Burns: To change the time for holding the summer term of the court of common pleas, for the year 1874, for the county of Richland	633, 659, 735, 755	755
158	Mr Reid: To enable incorporated companies for mining or manufacturing purposes ses to construct switches or turnouts to tracks of railroad companies	754	....
159	Mr. Yeoman: To authorize the correction of an error in the valuation of a certain piece of property	683, 684	....
160	Mr. Potter: To repeal an act entitled an act to establish a superior court for the city of Cleveland, and to repeal an act therein named, passed May 5, 1873		...
164	Mr. Reid: To revive section 522 of an act entitled an act to establish a code of civil procedure, passed March 11, 1853	719, 742, 747, 756	756
167	Mr. Reid: To authorize the Governor to make removals from office	703, 733	...
169	Mr. Thompson: To revive section 17 of the act to regulate and govern the Ohio Penitentiary, passed April 1, 1867	719, 728, 755	755

C

CASE, OAKLEY, Representative from Hocking County—
appointed on committees 8, 18, 37, 38, 608, 740
clerk pro tem 3
bills introduced by 32, 70, 199, 295, 438
chairman committee of the whole 156
leave of absence granted to 142, 320
motions made by, 22, 105, 130, 226, 227, 269, 356, 363, 366, 378, 390, 519, 557, 647, 692
nominations made by 84, 105
oath of office administered to 3
petitions, memorial and remonstrance presented by 255, 307, 308, 442
reports submitted by, 64, 134, 180, 181, 184, 202, 217, 239, 242, 244, 262, 295, 296, 310, 343, 345, 377, 393, 440, 491, 498, 589, 657, 662, 751.
resolutions offered by 8, 55, 122, 142, 441, 757
point of order raised by 239
CARNAHAN, JOSEPH, Representative from Carroll County—
appointed on committees 38
bill introduced by 419
leave of absence granted to 297
motion made by 419
oath of office administered to 3
CHAPMAN, HENRY M., Representative from Cuyahoga County—
appointed on committees 37
bills introduced by 109, 484
leave of absence granted to 67, 110, 196, 238, 298, 332
motions made by 141, 142, 185, 190, 191, 223, 415, 455, 512
oath of office administered to 3
remonstrances presented by 167, 194, 336
reports submitted by 269, 279, 337, 463, 479, 694, 753, 755, 756
resolution offered by 53
CHAPMAN, O. B., Representative from Meigs County—
appointed on committees 37
bills introduced by 75, 101, 251, 391, 471
motions made by 546, 558
oath of office administered to 4
petitions, memorials and remonstrances presented by 73, 212, 354, 474
reports submitted by 213, 339, 390, 552
COLE, LEBBEUS, Representative from Ottawa County—
appointed on committees 37, 38, 59
bill introduced by 175
leave of absence granted to 195, 233, 381
oath of office administered to 4
petition presented by 172
COLER, CHRISTIAN A., Representative from Montgomery County—
appointed on committees 37, 38, 288
bills introduced by 41, 75, 152
leave of absence granted to 538, 574
motions made by 34, 160, 214, 226, 241, 288, 310, 394, 410, 411
oath of office administered to 4

Coler, Christian A., Representative from Montgomery County—
petition and remonstrance presented by 158, 282
reports made by 247, 389, 585
resolution introduced by 394
Cooley, John M., Representative from Cuyahoga County—
appointed on committees 37, 38
leave of absence granted to 67, 233, 321
oath of office administered to 3
Conklin, William T., Representative from Pickaway County—
appointed on committees 37, 627
bills introduced by 217, 234, 252
chairman committee of the whole 307, 318, 324, 337, 354, 359, 366
leave of absence granted to 201, 298, 420
motions made by, 45, 170, 287, 336, 369, 563, 574, 578, 592, 598, 677, 716, 735, 746, 761
nomination made by 84
oath of office administered to 4
petitions, memorials and remonstrances presented by 206, 336, 382, 442
reports submitted by 181, 252, 327, 378, 497, 591, 673, 735
Conkright, William H., Representative from Union County—
appointed on committees 37, 38, 304
leave of absence granted to 195, 298
motion made by 627
oath of office administered to 4
petition presented by 212
Converse, George L., (Speaker) Representative from Franklin County—
elected speaker 4
address of 4
oath of office administered to 3
petitions and communications presented by, 13, 45, 82, 83, 91, 104, 172, 212, 259, 275, 284, 307, 309, 318, 330, 334, 336, 446, 459, 478, 500, 507, 521, 564, 597, 607.
resolution of thanks to 758
address by 762
Cadiz Township, Harrison County—
to authorize trustees to transfer certain funds. (See S. B. No. 128.)
Caledonia, Marion County—
to authorize board of education to issue bonds and borrow money. (See H. B. No. 239.)
Calendar—
clerks to prepare of unfinished business. (See S. J. R. No. 39.)
Call of the House, 22, 30, 31, 43, 50, 72, 86, 137, 188, 189, 193, 297, 313, 319, 320, 330, 333, 343, 356, 380, 390, 392, 407, 410, 416, 435, 436, 449, 458, 464, 469, 485, 505, 506, 517, 520, 523, 527, 535, 538, 542, 549, 554, 577, 597, 598, 613, 637, 638, 639, 645, 646, 658, 672, 679, 686, 705, 710, 723, 728, 738, 743.
Cambridge, Guernsey County—
to authorize board of education to levy tax to pay indebtedness. (See H. B. No. 344.)
Campbell, Alexander—
nominated for assistant clerk 83

Canals—
relative to abandonment of part of Miami and Erie. (See H. B. No. 243.)
vacating part of Hocking. (See H. B. No. 318.)
Cattle-guards and fences—
requiring railroads to construct. (See H. B. No. 59.)
Cemeteries—
to authorize trustees of Harpersfield township, Ashtabula county, to sell certain lands, and with proceeds purchase grounds for cemetery. (See H. B. No. 335.)
Centennial International Exposition—
to establish a state board of managers. (See S. B. No 14.)
Central Ohio Lunatic Asylum—
authorizing contracts for certain work. (See H. J. R. No. 23.)
employment of clerk by select committee. (See S. J. R. No. 19.)
communication from trustees in answer to H. R. No. 60..... 275
to organize board of managers for construction of. (See S. B. No. 102.)
Cheese—
to punish the adulteration of. (See H. B. No. 82.)
Children, Illegitimate—
amendatory and supplementary to acts for support of. (See H. Bs. Nos. 130 and 132.)
Children's Homes—
supplementary to act for the establishment of. (See S. B. No. 58.)
Champaign County—
for joint sub-school district for Adams township. (See H. B. No. 261.)
Champion Township, Trumbull County—
to authorize trustees to purchase a hearse. (See H. B. No. 193.)
Church of Christ, Nelsonville, Athens County—
to authorize the trustees of to convey certain real estate. (See H. B. No. 348.)
Cities—
to create a board of construction. (See H. B. No. 7.)
supplementary to act to create a board of fire commissioners. (See H. B. No. 44.)
to amend an act to establish a board of control. (See H. Bs. Nos. 58 and 252.)
to repeal an act passed April 18, 1873. (See H. B. No. 164.)
to re-district cities of the second class. (See S. B. No. 61.)
to authorize the issuing of bonds, and to regulate making of contracts. (See H. B. No. 244.)
to authorize the issuing of floating debt bonds. (See S. B. No. 140.)
Claims—
relative to damages sustained by reason of Morgan's raid. (See S. J. R. No. 38.)
Clark, Rev. Mr.—
prayer by.....72, 76, 87, 96, 107
Clerks of Courts—
amendatory and supplementary of acts regulating fees. (See H. B. No. 325.)
Clerk of House. (See *Officers of the House.*)

Cleveland Superior Court—
to repeal an act to establish. (See H. B. No. 149.)
to amend section 29 of act establishing. (See H. B. No. 312.)
Coal Oils—
amendatory of act to regulate sale of. (See H. B. No. 230.)
Code, Civil—
amendatory of. (See H. Bs. Nos. 3, 22, 189, 211, 351, and S. Bs. Nos. 9, 10, 52, No. 164.)
Code, Criminal—
amendatory of. (See H. Bs. Nos. 5, 39, 124, and S. Bs. Nos. 30 and 89.)
supplementary to. See H. Bs. Nos. 18, 27, and S. B. No. 51.)
Code, Municipal—
amendatory of. (See H. Bs. Nos. 41, 43, 79, 103, 161, 202, 206, 217, 233, 246, 255, 262, 291, 309, 330, 394, and S. Bs. Nos. 8, 46, 69, 87, 100 and 110.)
supplementary to. (See H. B. No. 229.)
amendatory of act regulating platting. (See H. B. No. 331.)
Collins, Isaac C.—
official vote for 22
Cool, Willie—
nominated for third assistant clerk 82
Committees, Standing, of the House 37, 38
expenses incurred by. (See S. J. R. No. 23)
Commissioners Allen County—
authorized to levy tax to improve fair grounds. (See H. B. No. 101.)
Commissioners, County—
further to prescribe their powers and duties. (See H. B. No. 64.)
limiting powers of in constructing bridges. (See H. B. No. 213.)
amendatory of the several acts defining the duties of. (See S. B. No. 124.)
supplementary to duties in regard to roads. (See H. B. No. 257.)
authorized to locate roads in specified cases. (See H. B. No. 275.)
Committee on Finance—
relieved from consideration of certain petition 103
Commercial Hospital of Cincinnati—
to amend act regulating, and to repeal certain amendments. (See H. B. No. 304.)
amendatory of act regulating. (See H. B. No. 314.)
Commissioners of Hamilton County—
to authorize to distribute Carthage road fund. (See H. B. No. 53.)
Committee on Insane Asylums—
leave of absence granted to 272
Commissioners of Police—
supplementary to act authorizing appointment of. (See H. B. No. 214.)
to repeal act of May 5, 1868. (See S. B. No. 101)
Common Schools. (See *Schools.*)
Commissioner of Railroads and Telegraphs—
requesting certain information. (See H. R. No. 11.)
Committee of the Whole 156, 253, 307, 318, 324, 337, 354, 359, 366
Congressional Districts—
apportionment of State into. (See H. B. No. 238.)

Constitution, New—
to provide for the publication of. (See H. B. No. 333.)
Constitutional Convention—
making appropriations for. (See H. B. No. 72.)
communication from President of..... 172
Contracts—
to regulate the making of in certain cities. (See H. B. No. 244.)
Copley Township, Summit County—
trustees authorized to levy tax for hearse and hearse-house. (See H. B. No. 189.)
Cord Wood and Stone Coal—
to amend certain sections of act regulating the standard per bushel and measurement of. (See S. B. No. 90 and H. B. No. 109.)
Coroner Hamilton County—
in relation to fees of. (See H. B. No. 222.)
Corporations—
relative to the voluntary dissolution of. (See H. B. No. 169.)
appropriation of property by. (See H. B. No. 156.)
Corporations other than Municipal—
Attorney-General and Secretary of State requested to revise and codify the laws relative to. (See H. J. R No. 33.)
Coshocton County—
to authorize commissioners to build bridge. (See H. B. No. 223, and S. B. No. 132.)
Coshocton Union School—
to repeal an act therein named. (See H. B. No. 105.)
Costs, Unclaimed—
to repeal an act relating thereto. (See H. B. No. 79.)
County Auditors—
amendatory of acts prescribing duties of. (See H. Bs. Nos. 88, 273 and 352.)
supplementary to act prescribing duties of. (See H. B. No. 167.)
fixing compensation according to population. (See H. B. No. 55.)
County Officers—
fixing the salaries of. (See H. B. No. 55.)
Coughlin, Thomas—
elected and qualified as Clerk..... 5
County Recorders—
to prohibit from acting as conveyancers. (See H. B. No. 327.)
County Seats—
of Wood county, for removal of. (See H. B. No. 92 and S. B. No. 142.)
Mahoning county, for removal of. (See H. B. No. 90.)
Adams county, for removal of. (See H. B. No. 271.)
Courts—
to change time of holding court in Ashland county. (See H. B. No. 207.)
amendatory of the judicial system of the State. (See S. B. No. 33.)
to change time of holding district court in Logan county. (See H. B. No. 282.)
to change time of holding common pleas court in Shelby county. (See H. B. No. 323.)

Courts—
to change time of holding common pleas court in Auglaize county. (See H. B. No. 343.)
to change time of holding common pleas court in Richland county. (See S. B. No. 156.)
Courts, United States—
to provide for supplying with annual laws. (See H. B. No. 197.)
Court-houses—
amendatory of act authorizing commissioners to purchase lands for. (See H. B. No. 293.)
to authorize commissioners of Van Wert county to build. (See H. B. No. 143.)
Crane Township, Wyandot County—
trustees authorized to appropriate certain funds. (See H. B. No. 38.)
Crites, D. L.—
elected and qualified first assistant clerk 6
Crook, Walter—
for the relief of. (See H. B. No. 287.)
Cruelty to Animals—
supplementary to act for the prevention of. (See S. B. No. 76.)
amendatory of act for prevention of. (See S. B. No. 127 and H. B. No 322.)
Currency—
relative to increase of. (See H. R. No. 95.)
Cushman, Harmon—
nominated for sergeant-at-arms 6
Cuyahoga County—
to authorize trustees of Bedford township to levy tax for town hall. (See S. B. No. 7.)

D

Duncan, Thomas, E., Representative from Morrow County—
appointed on committees 36, 37
bills introduced by 77, 131
leave of absence granted to 224, 298
oath of office administered to 4
petitions, memorial and remonstrances presented by 285, 286, 294, 303, 405
Darke County—
commissioners of authorized to levy tax for agricultural purposes. (See H. B. No. 132.)
Daugherty, M. A.—
official vote for 22
Deaf and Dumb, Blind, and Idiotic Asylums—
committee of granted leave of absence 132, 273
Death Penalty—
to abolish. (See H. B. No. 91.)
Deeds—
amendatory of act for proof, recording, etc., of. (See S. B. No. 16.)
Deer—
to prevent the killing of. (See H. B. No. 96.)

Deer Creek, Madison County—
to authorize Board of Public Works to construct culvert. (See H. B. No. 279.)
Defaults—
to provide for judgment by. (See H. B. No. 160.)
Deceased Persons—
to repeal section 4 of act to provide for settlement of estates of. (See H. B. No. 81.)
Delaware County—
to authorize trustees Delaware township, to levy a tax to build bridge. (See H. B. No. 78.)
to create a special school district in Berlin township. (See H. B. No. 311.)
Delinquent Taxes—
supplementary to several acts relating to collection of. (See H. B. No. 251.)
Deliquent Tax-Payers—
for the relief of. (See S. B. No. 5.)
Descents and Distributions—
amendatory of act regulating. (See S. B. No. 25.)
District Courts. (See *Courts.*)
Ditches, Drains and Water-courses—
to provide for constructing in townships. (See H. B. No. 67.)
amendatory and supplementary to acts for constructing. (See H Bs. Nos. 139, 254 and 258, and S. Bs. Nos. 35 and 56.)
amendatory of act for draining Scioto Marsh in Hardin county. (See H. B. No. 356.)
Divine, George—
nominated for third assistant sergeant-at-arms 84
Divorce and Alimony—
to amend an act concerning. (See H. B. No. 321.)
Dodds, W. B. Jr.,—
elected and qualified as second assistant clerk 6
Dodds, George—
official vote for 22
Dogs—
to extend the provisions of an act for protection of sheep, and for the confiscation of dogs. (See H. B. No. 316.)
Drift and Timber—
to remove from rivers in Paulding county. (See. H. B. No. 49.)

E

Eidson, Griffin H., Representative from Preble County—
appointed on committees 32, 37, 38, 52, 304, 400
bills introduced by 12, 199
leave of absence granted to 128, 313, 427, 538, 637
motions made by 52, 62, 273, 387, 397, 400, 513, 710
oath of office administered to 4
petitions, memorials and remonstrances presented by 56, 194, 474, 700
reports submitted by 486, 487
resolutions offered by 122, 238, 389
Eshelman, Ephraim B., Representative from Wayne County—
appointed on committees 10, 37, 38, 157, 255, 706

ESHELMAN, EPHRAIM B., Representative from Wayne County—
bills introduced by 32, 156, 201, 217, 279
motions made by, 9, 43, 92, 94, 109, 119, 156, 157, 159, 167, 189, 203, 220, 267, 288, 300, 304, 315, 318, 319, 320, 324, 338, 366, 381, 383, 384, 387, 415, 421, 454, 464, 487, 489, 512, 523, 564, 595, 596, 598, 612, 639, 647, 650, 651, 661, 666, 669, 670, 680, 703 706, 717.
nomination made by 43
oath of office administered to 4
petition, memorial and letter presented by 147, 172
reports submitted by, 14, 59, 88, 161, 172, 183, 208, 218, 272, 300, 433, 464, 525, 586, 641, 693, 715.
resolutions offered by 18, 51, 87, 119, 565
notice of intention to discuss 195
amendments to appropriation bill 209
Education, Board of—
to determine where to pay interest and principal on bonds. (See S. B. No 114.)
to authorize to purchase text-books. (See H. B. No. 249.)
Elder, David—
providing for admission into the Southern Lunatic Asylum. (See S. J. R. No. 16.)
Elections—
amendatory and supplementary of the several acts relating thereto. (See H. Bs. Nos. 14, 74, 183, 186, 305, and S. B. No. 77.)
of United States Senator 43, 47
to establish voting precinct at Soldiers' and Sailors' Orphans' Home. (See H. B. No. 119.)
to establish two precincts in Salem township, Columbiana county. (See H. B. No. 259.)
to authorize a special election in Leipsic, Putnam county. (See H. B. No. 274.)
to authorize two precincts in Put-in-Bay township, Ottowa county. (See H. B. No. 131.)
to authorize citizens of Brookville, Montgomery county, to hold special election. (See H. B. No. 347.)
Engrossment—
proper of bill. (See S. J. R. No. 20.)
Errors—
to authorize corrections in descriptions in findings in probate courts. (See H. B. No. 176.)
to authorize the correction of an error. (See S. B. No. 159.)
Estates—
to repeal sections of acts relating to the settlement of. (See H. B. No. 81 and S. B. No. 108.)
Execution—
amendatory of act exempting personal property. (See H. B. No. 210.)
providing the means of enforcing collection other than by. (See H. B. No. 191.)
exemptions from (See H. Bs. Nos. 24, 106, 192.)
Executors and Administrators—
relative to release of sureties, and to punish certain offenses. (See H. B. No. 329.)

Exposition, Centennial—
relative to. (See S. B. No. 14.)
Express Packages and Freights—
relating to the disposition of unclaimed packages. (See S. B. No. 72.)

F

Faxon, John H., Representative from Lorain County—
appointed on committees 37, 57, 304, 401
bills introduced by 88, 109, 144, 233, 289, 304
leave of absence granted to 148, 298, 365, 542, 551
motions made by 281, 401, 438, 497, 612, 642
oath of office administered to 3
petitions, memorials and remonstrances presented by ... 158, 206, 245, 441, 442, 475
reports submitted by 235, 246, 496, 587
Ford, George H., Representative from Geauga County—
appointed on committees 37, 335, 608
bill introduced by 233
leave of absence granted to 71, 292, 298, 485
motions made by 55, 332, 384, 462, 559, 688
oath of office administered to 3
petitions and remonstrances presented by 206, 437, 474
reports submitted by 241, 583
Fairfield Township, Columbiana County—
to create two election precincts in. (See H. B. No. 213.)
Fairfield Township, Hocking County—
to authorize board of education to build school-house. (See H. B. No. 199.)
Fair Grounds—
to authorize the commissioners of Franklin county to levy tax for. (See H. B. No. 37.)
to authorize the commissioners of Allen county to levy tax to improve. (See S. B. No. 101.)
to authorize the commissioners of Lucas county to levy tax to improve. (See H. B. No. 276.)
Fares and Freights—
to regulate the charges for on railroads. (See H Bs. Nos. 28 and 134.)
Fees and Salaries—
limiting the compensation of certain officers. (See H. B. No. 6.)
relative to fees of witnesses. (See H. B. No. 19.)
fixing the salaries of the officers therein named. (See H. B. No. 55)
amendatory of act fixing the fees of county clerks. (See H. B. No. 325.)
Ferguson, Rev. Mr.—
prayer by 621
Ferrets—
to prevent the use of to catch rabbits. (See H. B. No. 108.)
Finances—
resolution favoring expansion of the currency. (See H. R. No 95.)
Finance Committee—
leave of absence granted to 133
Fire-arms—
for the punishment of the careless use of. (See H. B. No. 76.)

Fillmore, Millard, Ex-President of the United States—
resolution of respect to. (See S. J. R. No. 30.)
Fire Commissioner—
supplementary to act creating. (See H. B. No. 44.)
Fish Commission—
to repeal an act therein named. (See H. B. No. 45.)
report of commissioners. (See Appendix.)
Floating Debt Bonds—
to authorize the issuing of in cities having a population of less than one hundred thousand. (See S. B. No. 140.)
Flood, Charles B.—
compensation for assisting clerk. (See H. R. No. 41.)
Foot and Sidewalks—
to protect. (See H. B. No. 158.)
Forest Trees—
for the protection and increase of. (See H. B. No. 110.)
to encourage the planting and culture of. (See H. B. No. 190.)
Franklin County—
to authorize commissioners to levy tax for bridge purposes. (See H. B. No. 170.)
to authorize the commissioners to use certain moneys. (See S. B. No. 62.)
Franklin Township, Shelby County—
to attach territory to sub-district No. 1. (See H. B. No. 190.)
Free Turnpikes—
to authorize commissioners to levy tax to keep in repair. (See H. B. No. 215.)
to provide for the repair of. (See H. B. No. 250.)
to authorize the commissioners of Brown and Highland counties to complete. (See H. B. No. 227.)
Fraudulent Practices—
to prevent. (See H. B No. 226.)

G

Geghan, John J., Representative from Hamilton County—
appointed on committees 37, 38, 75, 494
bills introduced by 17, 278, 657
leave of absence granted to 33, 298
motions made by 275, 290, 537, 561, 572, 600, 700
oath of office administered to 4
remonstrance presented by 222
Gowey, J. F., Representative from Champaign County—
appointed on committees 37, 38, 174
bills introduced by 58, 77, 332, 429
leave of absence granted to 234, 298, 542
motions made by, 30, 108, 120, 121, 174, 200, 408, 446, 454, 478, 505, 523, 583, 589, 637, 699, 725.
nomination made by 6
oath of office administered to 3
petitions presented by 301, 419
reports submitted by 200, 488
resolution offered by 759

GORDON, JAMES S., Representative from Hamilton County—
appointed on committees 12, 37, 38, 75, 494
bills introduced by 176, 197, 230, 238, 343
leave of absence granted to 21, 233, 293
motions made by 94, 112, 398, 418, 453, 687
nominations made by 82, 84
oath of office administered to 3
petitions, memorials and remonstrances presented by, 76, 207, 225, 285, 302, 308, 353, 385, 559, 737, 738.
reports submitted by 12, 242
resolutions offered by 82, 84, 187
point of order raised by 418
GREEN, E. M., Representative from Shelby County—
appointed on committees 32, 37, 38, 55, 172, 304, 706
bills introduced by 42, 197, 199, 202, 324, 485
leave of absence granted to 106, 233, 295, 365, 427
motions made by 288, 437, 556, 594
oath of office administered to 4
petitions, memorials and remonstrances presented by, 21, 42, 142, 158, 172, 201, 254, 305, 609.
reports submitted by 489, 584
GROSVENOR, CHARLES H., Representative from Athens County—
appointed on committees 12, 37, 38, 199, 549, 569, 572, 693, 698, 731, 727, 761
bills introduced by 234, 248, 484, 625
leave of absence granted to 21, 210, 295, 370
motions made by, 16, 159, 170, 198, 199, 228, 237, 257, 312, 316, 326, 341, 362, 446, 456, 469, 512, 520, 536, 539, 541, 549, 550, 569, 572, 585, 593, 598, 625, 632, 633, 637, 638, 692, 698, 700, 706, 713, 715, 716, 719, 723, 726, 739, 740, 742, 749, 753, 757.
nomination made by 7
oath of office administered to 3
petitions, memorials and remonstrances presented by, 222, 225, 242, 245, 254, 281, 282, 324
reports submitted by, 180, 181, 195, 279, 318, 345, 346, 371, 372, 373, 593, 636, 658, 696, 700, 733.
resolutions offered by 10, 18, 277, 351, 352, 744, 758, 759
Gamble, C. C.—
nominated for third assistant sergeant-at-arms 84
Game—
for the protection of. (See House Bills Nos. 57 and 96.)
Garvin, Rev. T. D.—
prayer by 716, 726, 753
Gas Companies—
to repeal certain acts in relation thereto. (See H. B. No. 221.)
Gas Meters—
relative to the inspection of, etc. (See S. B. No. 133.)
Geauga County, Thompson Township—
to authorize trustees to sell town hall. (See H. B. No. 187.)
General Government—
relating to claims on. (See S. J. R. No. 34.)

General Laws—
to provide for a revision of. (See H. B. No. 100.)
Geological Corps—
providing for the printing and distributing of the second volume of the final report. (See S. J. R. No. 45.)
Goods and Merchandise—
to authorize the incorporation of companies for the sale of. (See S. B. No. 99.)
Governor—
authorized to use a stamp. (See S. B. No. 6)
messages and communications from, 12, 70, 74, 146, 255, 318, 363, 477, 507, 550, 661
Green Township, Hamilton County—
relative to section 29. (See H. B. No. 30.)
Gross & Deitrich—
for the relief of. (See H. B. No. 34.)
Grover, Rev. J. L.—
prayer by 248, 253, 263, 273, 283, 293
Guardian and Ward—
concerning relation of. (See H. B. No. 153.)
Guernsey County—
to authorize commissioners of to transfer certain stock. (See H. B. No. 102.)

H

Haag, John M., Representative from Henry County—
appointed on committees 8, 10, 37, 38, 163, 342, 629
bills introduced by 41, 58, 88, 131, 152, 252, 326
leave of absence granted to 172, 420
motions made by, 8, 9, 11, 30, 31, 35, 45, 50, 58, 71, 74, 78, 91, 92, 94, 109, 144, 146, 155, 157, 158, 163, 166, 168, 169, 221, 248, 259, 261, 275, 291, 292, 297, 320, 330, 331, 333, 335, 341, 342, 343, 356, 360, 394, 398, 400, 401, 416, 420, 456, 459, 460, 495, 506, 511, 517, 520, 537, 548, 551, 554, 556, 560, 598, 623, 624, 629, 632, 634, 636, 637, 645, 675, 677, 680, 683, 719, 737, 739, 740, 754, 762.
nomination made by 5
oath of office administered to 3
petition, memorial, remonstrance and report presented by 57, 253, 307, 332
reports submitted by 11, 73, 102, 260, 266, 280, 343, 344, 348, 511, 555
resolutions offered by 61, 92, 152, 166
Hardy, Henry, Representative from Defiance County—
appointed on committees 38
bills introduced by 58, 176, 197, 202, 578
leave of absence granted to 82, 321, 370, 415, 526
motions made by 309, 556, 578
oath of office administered to 18
petitions and memorials presented by 168, 201, 295, 451
reports submitted by 200, 315, 487, 548, 584, 588, 694, 745, 746, 755
Harrison, Thomas J., Representative from Jackson County—
appointed on committees 37, 38, 456
leave of absence granted to 195, 321
motions made by, 159, 161, 290, 291, 315, 399, 400, 456, 471, 474, 528, 554, 568, 578, 607, 639, 753.

HARRISON, THOMAS J., Representative from Jackson County—
oath of office administered to 3
memorials presented by 148, 194
reports submitted by 311, 430, 464, 492
resolution offered by 291
call of the House demanded by 297
HATFIELD, NATHAN, Representative from Wood County—
appointed on committees 37
bills introduced by 101, 109, 197
motions made by 169, 370
oath of office administered to 4
petitions and remonstrance presented by 107, 122, 167, 172
reports submitted by 566, 576
HAVEN, JAMES L., Representative from Hamilton County—
appointed on committees 37, 38, 75, 304, 494
bill introduced by 43
leave of absence granted to 33, 67, 195, 298, 357, 418, 646
motion made by 307
oath of office administered to 4
petitions, memorials and remonstrances presented by, 42, 172, 231, 294, 334, 336, 419.
HEITMANN, JOHN H., Representative from Franklin County—
appointed on committees 37, 38
bills introduced by 11, 53, 142, 144, 149, 199, 260, 429
leave of absence granted to 429
motions made by, 10, 33, 141, 156, 157, 159, 203, 223, 245, 251, 252, 282, 348, 396, 449, 459, 510, 514, 540, 595, 600, 647, 659.
nomination made by 84
oath of office administered to 3
petitions, memorials and remonstrances presented by, 92, 96, 156, 167, 168, 194, 212, 225, 231, 232, 245, 253, 255, 265, 294, 323, 331, 332, 334, 353, 419, 442, 508, 542.
reports submitted by 91, 140, 281, 327, 347, 348, 433, 491, 514, 566, 620
resolution offered by 91
HERRON, SAMUEL, Representative from Harrison County—
appointed on committees 37, 38
bills introduced by 175, 394, 427, 439, 484
leave of absence granted to 82, 321, 551, 637
motions made by 507, 549, 623
oath of office administered to 14
petition presented by 405
HILL, ROBERT, Representative from Marion County—
appointed on committees 37, 38, 560
bills introduced by 149, 152, 278, 295
leave of absence granted to 70, 243, 370, 551
motions made by 311, 497
oath of office administered to 4
petitions presented by 147, 294, 352
report submitted by 735

HOAGLAND, MOSES A., Representative from Holmes County—
appointed on commtttees 37, 38
motion made by 382
oath of office administered to 3
petitions, memorials, and remonstrances presented by, 150, 194, 201, 286, 297, 303, 323, 382.
reports submitted by 185, 235, 329
HODGE, ORLANDO J., Representative from Cuyahoga County—
appointed on committees 18, 37, 216
bills introduced by 50, 58, 101, 234, 246, 553
leave of absence granted to 137, 196, 283, 321
motions made by, 22, 28, 29, 30, 31, 39, 41, 45, 61, 63, 82, 85, 86, 92, 93, 96, 109, 126, 137, 190, 215, 226, 232, 247, 248, 249, 251, 322, 354, 356, 396, 409, 421, 449, 458, 523, 526, 569, 707, 716, 719, 742.
nominations made by 43, 82, 105
oath of office administered to 3
petition and remonstrances presented by 156, 245, 621
reports submitted by 103, 177, 493, 494, 631
resolutions offered by 10, 45, 503, 747
HOLLOWAY, EPHRAIM S , Representative from Columbiana County—
appointed on committees 37, 38, 304
bills introduced by 21, 139, 151, 197, 342, 428
leave of absence granted to 188, 321, 538
motions made by, 34, 48, 71, 92, 109, 122, 128, 137, 167, 170, 220, 238, 242, 250, 251, 291, 295, 393, 428, 496, 530, 597, 629.
oath of office administered to 3
petitions, memorials, and remonstrances presented by, 87, 88, 107, 122, 123, 127, 150, 162, 169, 194, 206, 231, 265, 285, 385, 387, 419, 441, 469, 474, 611.
reports submitted by 262, 566, 589
resolutions offered by 11, 47, 92
HOLT, JOHN P., Representative from Cuyahoga County—
appointed on committees 37, 38, 304, 544
bills introduced by 42, 109
leave of absence granted to 67, 298
motions made by 294, 361, 427, 462, 644, 654, 657, 694
oath of office administered to 3
resolution offered by 504
HOWLAND, W. P., Representative from Ashtabula County—
appointed on committees 37, 53, 97, 157, 179, 279, 494, 578, 717
bills introduced by 18, 75, 249, 251, 262, 371, 439, 578
leave of absence granted to 195, 321, 370
motions made by, 96, 97, 151, 233, 251, 257, 266, 299, 319, 325, 351, 415, 432, 498, 516, 600, 610, 649, 650, 681, 717, 735, 737.
oath of office administered to 14
petitions presented by 147, 150, 561
reports submitted by, 135, 178, 186, 237, 247, 261, 263, 316, 328, 329, 377, 427, 430, 432, 433, 440, 498, 586, 590, 591 610, 631, 735, 737.
HUSTON, PAUL A. J., Representative from Hamilton County—
appointed on committees 37, 38, 75, 217

HUSTON, PAUL A. J., Representative from Hamilton County—
bills introduced by 18, 77
leave of absence granted to 71, 137, 298, 371
motions made by 210, 236, 283
oath of office administered to 3
petition and remonstrance presented by 247, 395
reports submitted by 52, 329, 620, 732
Hamilton County—
to authorize commissioners to build bridge on Union bridge site. (See H. B. No. 168.)
relating to Miami purchase. (See H. B. No. 200.)
to amend fee bill in. (See H. B. No. 222.)
to authorize issuing of bonds and making contracts. (See H. B. No. 244.)
to authorize commissioners to straighten bend in Mill creek. (See H. B. No. 337.)
to repeal act incorporating Union Bridge Company. (See H. B. No. 340.)
to vest the commissioners with authority to sell certain lands. (See S. B. No. 139.)
to authorize trustees of Spencer township to sell town hall. (See H. B. No. 267.)
Hanover, Elder Lyman B.—
prayer by 551
Harrison County—
prescribing terms of sale of section 16. (See S. B. No. 134.)
Harpersfield, Ashtabula County—
to authorize trustees to sell lands and purchase cemetery. (See H. B. No. 335.)
Harshman, J.—
official vote for 22
Hart, Alphonso—
official vote for 22
Hearse and Hearse-House—
to authorize the trustees of Champion township, Trumbull county, to levy tax. (See H. B. No. 193.)
to authorize trustees of Russell township, Geauga county, to levy tax. (See H B. No. 201.)
to authorize trustees of Atwater, Portage county, to levy tax. (See H. B. No. 245.)
to authorize the trustees of Mantua township, Portage county, to levy tax. (See H. B. No. 332.)
Herpich, Thomas—
nominated for third assistant sergeant-at-arms 84
Hicksville, Defiance County—
to authorize board of education to borrow money. (See S. B. No. 115.)
Hocking Canal—
relative to vacating part of. (See page 351, and H. B. No. 318.)
Hocking County—
to create new school district in Starr and Green townships. (See H. B. No. 241.)
to authorize commissioners to receive donations. (See H. B. No. 297.)

Hospitals for the Insane—
to provide for the more economical management of. (See H. B. No. 285.)
amendatory of act of April 7, 1856. (See H. B. No. 85.)
to organize board for construction of Central. (See S. B No. 102.)
Hotel Associations—
amendatory of act for the incorporation of. (See S. B. No. 57.)
Humane Societies—
supplementary to act to incorporate. (See S. B. No. 76.)
Huntington Township, Brown County—
to authorize trustees to levy a special tax. (See H. B. No. 66.)
Huston, John L.—
elected and qualified as sergeant-at-arms 6
Hutchins, Rev. Mr.—
prayer by 356, 384

I

Inman, Benjamin, Representative from Sandusky County—
appointed on committees 37, 38, 57, 304
bills introduced by 58, 167, 342
leave of absence granted to 71, 502
motion made by 511
oath of office administered to 4
petitions, memorials, and remonstrances presented by, 57, 107, 118, 158, 383, 419, 716.
Inauguration—
resolution relative to 13
report from joint committee 20
relative to printing programme. (See S. J. R. No. 6.)
participation of House in 41
Inclosures—
to amend an act to regulate. (See House Bills Nos 97 and 99.)
Independent Militia—
to amend an act to regulate. (See H. B. No. 204.)
Independent Treasury—
to amend an act relative thereto. (See H. Bs Nos. 137 and 184.)
Incorporated Companies—
amendatory and supplementary to the several acts for the organization and regulation of incorporated companies. (See H. Bs Nos 31, 117, 129, 135, 146, 150, 163, 354, and S. Bs Nos. 4, 12, 43, 73.)
to authorize certain companies to do business in this State. (See S. B. No. 126.)
for incorporation of companies for sale of goods, etc. (See S. B. No. 99.)
to enable companies to construct switches from railroads. (See S. B No. 158.)
Infirmaries—
to authorize commissioners of Ashland county to build. (See H. B. No. 216.)
Lake county to build. (See H. B. 138.)
Illegitimate Children—
amendatory and supplemental to acts for maintenance and support of: (See H. Bs Nos. 130, 182, 232.)

Insane Asylums—
to authorize trustees of Central to contract for work. (See H. J. R. No. 23.)
for the admission of David Elder into the Southern. (See S. J. R. No. 16.)
committee on, leave of absence granted to 133
Inspection of Gas Meters—
bill in relation to. (See S. B. No. 221.)
Inspector of Mines—
to provide for the appointment of. (See H. B. No. 116)
Instruments of Writing—
relative to the proof, recording, etc., of. (See S. B. No. 16.)
supplementary to act making certain negotiable. (See H. B. No. 142.)
Insurance—
amendatory of the several acts for the regulation of insurance companies. (See H. Bs Nos. 2 and 159, and S. B. No. 39.)
Intoxicating Liquors—
to amend acts regulating sales of. (See H. B. No. 4.)
to repeal sections 7 and 10 of an act amended April 18, 1870. (See H. B. No. 33)
to prohibit the importation, manufacture and sale of. (See H. B. No. 122.)
for the punishment of intoxication. (See H. B. No. 288.)
amendatory of act passed May 1, 1854. (See H. B. No. 294.)
to prevent the sale of spiritous, malt, or vinous liquors. (See H. B. No. 303.)
to further provide from the evils resulting from the sale of. (See H. B. No. 357.)
Invitation—
from Governor and Mrs. Noyes 13
Invocations—
daily provided for 4

J

Johnson, George, Representative from Scioto County—
appointed on committees 37, 38
bills introduced by 101, 260, 485
chairman committee of the whole 253
leave of absence granted to 195, 546
motions made by 187, 333
oath of office administered to 4
petitions, memorials and remonstrances presented by 57, 145, 225, 332, 442, 607
reports submitted by 236, 591
resolution offered by 509
Jefferson Township, Muskingum County—
to authorize trustees to appropriate certain moneys. (See S. B. No. 26.)
Jeromeville, Ashland County—
to authorize trustees to borrow money. (See H. B. No. 240.)
Joint Convention—
to count vote of State officers 21
Johnson, Rev. Mr.—
prayer by 675
Jones, T. F. and W. A.—
relative to the relief of. (See S. J. R. No. 17.)

Journal—
to provide for the printing of. (See H. B. No. 114.)
Judgments—
to provide for taking by default. (See H. B. No. 160.)
Judicial Districts—
to attach Pickaway county to the second sub-division of the fifth district. (See H. B. No. 181.)
Judicial System of the State—
to amend and repeal certain acts therein named. (See S. B. No. 33.)
Juries—
to amend act relative to. (See H. Bs Nos. 123 and 264.)
Justices of the Peace—
to repeal section 5 of act of April 10, 1856. (See H. B. No. 25.)
amendatory of acts defining the powers and duties of. (See H. B's Nos. 47, 85, 87, 125, 179, 195, 208, and 283.)
to repeal section 3 of act of April 30, 1862, and April 10, 1862. (See H. B. No. 25.
to provide for taking judgments by default. (See H. B. No. 160.)

K

Kemp, Jacob, Representative from Butler County—
appointed on committees 37, 38, 157, 304
bills introduced by 51, 58, 88, 109
leave of absence granted to 71, 242, 332, 567
motions made by 218, 400, 481, 502, 519 714
oath of office administered to 3
petitions and memorials presented by 57, 159, 382, 415
reports sebmitted by 218, 612
resolutions offered by 55, 61, 106
Keen, Rev. Mr.—
prayer by 40, 42, 50, 57, 68
Kellogg, Rev. Charles H.—
prayer by 435, 442, 462 595
Knox County—
to authorize treasurer to pay out certain funds. (See H. B. No. 121.)
commissioners to build bridge. (See H. B. No. 223.)
Knox County Agricultural Society—
to authorize president and secretary to sell lands. (See H. B. No. 334.)
Knox and Coshocton Counties—
to authorize commissioners of to build bridge. (See H. B. No. 132.)

L

Lewis, Edward C., Representative from Tuscarawas County—
appointed on committees 37, 228, 273, 304, 727
bills introduced by 41, 75, 118, 167, 233, 419
leave of absence granted to 70, 420
motions made by 46, 115, 118, 228, 419, 454, 509, 519, 530, 554, 621, 685, 699
nomination made by 7
oath of office administered to 4

Lewis, Edward C., Representative from Tuscarawas County—
petitions, memorials and remonstrances presented by..297, 302, 308, 381, 385, 395, 404, 506, 553.
reports submitted by.....89, 166, 313, 484, 500, 579, 620, 739, 749
resolutions offered by.....8, 34, 44, 53, 187, 221
Light, George W., Representative from Putnam County—
appointed on committees.....37, 275
bills introduced by.....18, 77, 371
leave of absence granted to.....298
motions made by.....49, 160, 223, 272, 273, 310, 312, 388, 457, 503, 761
nomination made by.....84
oath of office administered to.....4
petitions presented by.....285, 303
reports submitted by.....89, 134, 135, 161, 378, 588, 589
resolution offered by.....595
previous question demanded by.....638
Loomis, F. R., Representative from Medina County—
appointed on committees.....37, 38, 391, 495
bills introduced by.....260, 370, 486
motions made by, 30, 62, 63, 149, 190, 195, 271, 317, 385, 388, 391, 392, 414, 495, 659, 665, 729.
oath of office administered to.....4
petitions and remonstrance presented by.....221, 255, 381, 552
reports submitted by.....146, 501
resolutions offered by.....63, 81, 145, 195, 391, 441
Laborers and Mechanics—
for the protection of. (See S. B. No. 137.)
to secure the wages of. (See S. B. No. 186.)
Lagrange Township, Lorain County—
to authorize trustees to levy tax to build town hall. (See H. B. No. 234.)
purchase hearse and build hearse-house. (See H. B. No. 133.)
Laidlaw, Rev. R. J.—
prayer by.....332, 334, 352
Lake County—
to authorize commissioners to build infirmary. (See H. B. No. 138.)
Land-holders—
to protect. (See H. B. No. 35.)
Laramie Reservoir—
to pay for school lands by reason of overflow. (See H. B. No. 177.)
Laws—
to provide for a revision of. (See H. B. No. 100.)
supplying United States Courts with. (See H. B. No. 197.)
Law Library Associations—
to encourage the formation of. (See S. B. No. 107.)
Layman, Amos—
appointed assistant clerk *pro tem*.....3
Legal Advertising—
to fix the prices for. (See H. B. No. 265.)

Legislation, local or special—
to provide and regulate applications for. (See H. B. No. 265.)
Leipsic, Putnam County—
to authorize a special election in. (See H. B. No. 274.)
Little, John—
official vote for 22
Livery-Stable Keepers—
for the protection of. (See S. B. No. 136 and H. B. No. 247.)
Loan and Savings Associations—
supplementary to acts to incorporate. (See House Bills Nos. 75 and 128.)
Logan County—
to change time for holding District Court in. (See H. B. No. 282.)
to enable Huntsville district to borrow money. (See H. B. No. 317.)
for joint sub-school district for Miami township. (See H. B. No. 261.)
Longview Asylum—
to vest the commissioners of Hamilton county with certain authority relative thereto. (See S. B. No. 139.)
Loomis, B. J.—
nominated for clerk 5
Lucas County—
to authorize commissioners to levy tax to improve fair grounds. (See H. B. No. 276.)
Lunatic Asylums. (See *Benevolent Institutions.*)

M

Mack, Hiram H., Representative from Summit County—
appointed on committees 37, 267
bill introduced by 88
leave of absence granted to 193
motions made by 40, 115, 116, 267, 290, 336, 568, 647, 660, 661, 692
nomination by 83
oath of office administered to 4
petitions presented by 54, 285, 336
reports submitted by 90, 271, 430
resolutions offered by 44, 336
Mann, Ezra, Representative from Fulton County—
appointed on committees 38, 348
bills introduced by 88, 146, 234
leave of absence granted to 21, 174, 298, 381, 502
motions made by, 43, 68, 92, 109, 124, 127, 146, 162, 234, 273, 307, 310, 330, 348, 436, 520, 524, 590, 597, 679, 738.
oath of office administered to 3
petitions presented by 254, 443
resolution offered by 93
Marx, Guido, Representative from Lucas County—
appointed on committees 37, 38, 624
bills introduced by 50, 77
motions made by, 93, 115, 182, 189, 191, 256, 268, 310, 322, 370, 374, 375, 384, 401, 428, 624, 629, 698.

MARX, GUIDO, Representative from Lucas County—
oath of office administered to 14
reports submitted by 310, 662
MARTIN, EDGAR, Representative from Huron County—
appointed on committees 37, 38
bill introduced by 77
leave of absence granted to 321
motion made by 678
oath of office administered to 3
petitions and remonstrance presented by 114, 245, 298
MCCLOUD, RODNEY C., Representative from Madison County—
appointed on committees 4, 37, 602, 717
bills introduced by 146, 326, 391, 439, 484, 592
motions made by 33, 391, 543, 549, 620, 628, 634
oath of office administered to 3
petitions presented by 420, 561
reports submitted by 155, 292, 557, 579, 663, 734
resolutions offered by 112, 127, 141
MCCOY, MILTON, Representative from Ross County—
appointed on committee, 18, 37, 169, 304, 413, 426, 501, 523, 524, 550, 627, 717, 761
bills introduced by 75, 217, 246, 609
nominated and elected Speaker *pro tem* 105
leave of absence granted to 305, 332, 381
motions made by, 10, 18, 48, 53, 74, 89, 92, 96, 115, 116, 121, 127, 141, 146, 161, 169, 171, 175, 188, 189, 191, 193, 203, 210, 212, 221, 269, 319, 401, 410, 412, 413, 418, 421, 422, 426, 434, 451, 457, 461, 468, 473, 478, 487, 501, 504, 505, 513, 524, 539, 545, 550, 553, 555, 559, 613, 620, 636, 660, 672, 677, 681, 691, 726, 730, 738, 740.
nominations made by 4, 83
oath of office administered to 4
petitions presented by 57, 248, 442, 553
reports submitted by, 23, 64, 103, 135, 179, 218, 501, 512, 545, 555, 587, 711, 726, 736
resolution of thanks to 759
resolutions offered by 10, 11, 29, 70, 91, 250, 506
notice of intention to discuss resolutions 35, 609
division of question demanded by 117, 129
address by 761
MCKINLEY, WILLIAM M., Representative from Hancock County—
appointed on committees 37, 38
bills introduced by 131, 149, 662
leave of absence granted to 68, 320, 473, 551
motions made by 107, 137, 168, 244, 263, 305, 380, 577, 658, 662, 731
oath of office administered to 3
petitions and remonstrances presented by 159, 383, 415
reports submitted by 159, 371, 406, 517, 546, 561, 636
MCLAIN, THOMAS J., Jr., Representative from Trumbull County—
appointed on committees 10, 37, 304, 591
bills introduced by 101, 118, 233, 234, 289, 304, 485
motions made by, 29, 45, 50, 53, 119, 132, 302, 309, 313, 371, 380, 386, 499, 515, 591, 686, 687, 730.

McLain, Thomas J., Jr., Representative from Trumbull County—
oath of office administered to ... 4
petitions, memorials and remonstrances presented by, 248, 249, 297, 302, 315 387, 415, 613, 700.
reports submitted by ... 434, 693
resolutions offered by ... 9, 719
protest by ... 15
Mesloh, John H., Representative from Auglaize County—
appointed on committees ... 37, 38, 52, 53
bills introduced by ... 131, 371, 594
leave of absence granted to ... 233, 321, 427
motion made by ... 688
oath of office administered to ... 3
petition presented by ... 143
reports submitted by ... 290, 531
resolution offered by ... 296
Miller, Edwin W., Representative from Hamilton County—
appointed on committees ... 37, 75, 494, 565
bills introduced by ... 17, 21, 101, 243, 279, 300, 661
leave of absence granted to ... 195
motions made by .. 139, 145, 229, 239, 251, 256, 276, 277, 290, 307, 340, 436, 465, 565, 595, 610, 662, 685, 697, 720, 738.
oath of office administered to ... 3
remonstrances presented by ... 222, 226
reports submitted by .. 184, 187, 242, 243, 324, 347, 373, 374, 566, 612, 657, 664, 665, 731.
Moorehead, James A., Representative from Muskingum County—
appointed on committees ... 37, 38
leave of absence granted to ... 147, 298
oath of office administered to ... 4
petitions presented by ... 442, 610
reports submitted by ... 197, 290, 316, 712
Morris, Jonathan, Representative from Lawrence County—
appointed on committees ... 37, 38, 304, 563
bills introduced by ... 485, 657
leave of absence granted to ... 321, 546
motions made by .. 46, 78, 108, 112, 124, 175, 227, 240, 267, 290, 291, 440, 523, 542, 549, 553, 550, 657.
oath of office administered to ... 3
petition and memorials presented by ... 21, 212, 382
reports submitted by .. 139, 148, 225, 255, 309, 415, 454, 474, 567
resolutions offered by ... 195, 240
Munson, Augustus W., Representative from Hardin County—
appointed on committees ... 37, 38, 600
bills introduced by ... 101, 324, 725
leave of absence granted to ... 35, 145, 427, 551
motions made by ... 128, 132, 196, 273, 404, 578, 600, 623, 624, 737
oath of office administered to ... 3

Munson, Augustus W., Representative from Hardin County—
petition and remonstrance presented by....169, 254
reports submitted by....135, 140, 220, 243, 303, 497, 592, 600
Murlin, Hiram, Representative from Mercer County—
appointed on committees....37, 38
bills introduced by....58, 589
leave of absence granted to....233, 420
motions made by....49, 63, 142, 230, 408, 555, 621, 636, 699
nominations made by....5, 83
oath of office administered to....4
petition and memorial presented by....114, 553
reports submitted by....103, 111, 178, 311, 388, 497, 546, 547, 588, 589, 663
Myers, Benjamin, Representative from Ashland County—
appointed on committees....37, 266, 451
bills introduced by....77, 249, 260, 277, 439
leave of absence granted to....67, 148
motions made by....324, 392, 394, 451, 464, 484, 576, 610, 620
oath of office administered to....3
petitions and remonstrances presented by....249, 294, 308, 132, 353
reports submitted by....89, 118, 330, 500, 583
Myers, John L., Representative from Fayette County—
appointed on committees....37, 38, 57, 573
bills introduced by....260, 326
leave of absence granted to....162, 295, 408
motions made by....573, 683
oath of office administered to....3
reports submitted by....573
Madison County Agricultural Society—
to authorize president and secretary to sell certain lands. (See H. B. No. 300.)
Madison Township, Columbiana County—
to create a new sub-school district. (See H. B. No. 166.)
Mahoning County—
to provide for the removal of the county seat of. (See H. B. No. 90.)
Mail matter—
delivery of to members of the House....8
Malpractice—
to protect physicians against malicious prosecution. (See H. B. No. 68.)
Mansfield—
for the relief of the board of education of. (See S. B. No. 112.)
Manhattan Township, Lucas County—
to authorize the trustees of to borrow money. (See S. B. No. 146.)
Manufacturing Companies—
to enable to create preference shares. (See S. B. No. 18.)
Mantua Township, Portage County—
to authorize trustees to levy tax for hearse and hearse-house. (See H. B. No. 332.)
Martin, J. T.—
elected and qualified as second assistant sergeant-at-arms....7
Measures and Weights—
to provide for a uniform standard of. (See H. B. No. 151.)

Mechanical and Agricultural College—
amendatory of section 2 of an act to establish and maintain. (See H. B. No. 118.)
Mechanics and Laborers—
for the protection of. (See S. B. No. 137.)
Medical Colleges—
for the relief of. (See S. B. No. 24.)
Medina, Medina County—
to authorize board of education to take up outstanding bonds. (See H. B. No. 240.)
Meigs County—
to create two election precincts in Scipio township. (See H. B. No. 308.)

MEMORIALS.

From the Saratoga Monument Association 45
Of Isaac Meranda 50
Of Wm. Burdell and R. Shields and others, of Franklin county, for permission to bring suit in a civil court 122, 181
Of Daniel Shriver, of Stark county 148
Of P. T Turpin and others, of Hamilton county 207
For a law creating a mine inspector 212, 284, 297, 302, 308
Of board of trustees of Ohio University at Athens 225
Of S. S. Rickly, of Franklin county 232, 378
Relating to the seat of the Athens member 259, 307, 309, 315, 317
Of Dr. O S. St. John, relating to citizenship without regard to sex 317
Of the Governor, relating to fisheries 318
Of John D. Vance, asking the allowance of his claim 323, 591
Of J M. Davies, claiming $6,000 for services 324
Of Robert Clarke and Co., relating to Ohio State Reports 324
Of the Mt. Vernon prohibition convention 336
Of Wm. E. Merrill, respecting legislation in reference to ceding jurisdiction concerning river navigation improvement 363
Of W. S. Barnett and others, of Cattlettsburg, Kentucky 282
Of Henry Traber and others, of Butler county 382, 587
Of General Worthington, of Warren county, relating to crimes 394
Of the Constitutional Convention 477
Of the trustees of the Institution for the Blind 507
Of Jesse Baldwin, of Mahoning county, relating to the payment of certain State bonds 561
Of John Simpkinson and others, of Hamilton county 738
Messages—
from the Governor 12, 70, 74, 146, 255, 318, 363, 477, 507, 550, 661
informing the Senate that the House is ready to meet in joint convention for the election of a United States Senator 53
from the Senate. [Messages transmitting bills and joint resolutions; messages showing action of the Senate on bills and resolutions, or in any way relating thereto, will be found by reference to the table of bills (under B), and the table of resolutions (under R).]

Meyer, Seraphim—
official vote for 22
McCoy, Milton—
election and qualification as Speaker *pro tem* 105
McNulty, Rev. R. R.—
prayer by 14, 18, 19, 32, 560, 567, 578, 597, 609
McDonald, Rev. Mr.—
prayer by 114
Miami Purchase—
relating to in Hamilton county. (See H. B. No. 200.)
Miami and Erie Canal—
relative to abandonment of part of. (See H. B. No. 243.)
Military Affairs—
leave of absence granted to committee on 92
Militia, Independent—
to amend an act to regulate. (See H. B. No. 204.)
amendatory and supplemental of an act to organize. (See H. B. No. 350.)
Milk and Cheese—
to punish the adulteration of. (See H. B. No. 82.)
Mineral Ridge, Trumbull County—
to authorize board of education to levy a tax. (See S. B. No. 144.)
Mines and Mining—
to regulate. (See H. B. No. 145.)
to provide for an inspector of. (See H. B. No. 116.)
Mineral Oils—
amendatory of act to regulate the sale of. (See H. B. No. 230.)
Mitchell, A. H.—
official vote for 22
Money—
to provide the means of enforcing the recovery of. (See H. B. No. 194.)
Moore, Rev. Mr.—
prayer by 150, 158, 167, 172, 188, 198
Moore, Isaac T.—
election and qualification as third assistant clerk 82
Morgan, John—
relative to damages sustained by reason of the raid of. (See S. J. R. No. 38.)
Mortgages—
amendatory of act relative to depositing with township clerks. (See H. B. No. 142.)
Municipal Codes. (See *Codes.*)
Muskingum County—
to authorize trustees of Jefferson township to appropriate certain funds. (See S. B. No. 26.)

N

NEFF, BENJAMIN, Representative from Clarke County—
appointed on committees 37, 38, 55, 304, 560, 575, 637
bills introduced by 32, 43, 438, 439
leave of absence granted to 70, 233, 321, 427

NEFF, BENJAMIN, Representative from Clarke County—
motions made by 188, 221, 261, 273, 360, 503, 514, 575, 625, 637
oath of office administered to 10
petitions, memorials and remonstrance presented by 50, 76, 326, 382
reports submitted by 111, 183, 272, 279, 281, 290, 480, 560, 593, 604, 695, 708, 745
resolutions offered by 54, 503
leave to change vote 130
NELSON, JOHN W., Representative from Williams County—
appointed on committees 37, 38
bills introduced by 21, 175
leave of absence granted to 67, 94
motions made by 283, 634
oath of office administered to 4
petition presented by 353
report submitted by 440
NEWELL, ELBERT P., Representative from Hamilton County—
appointed on committees 37, 38, 75, 494
leave of absence granted to 33
oath of office administered to 3
petition presented by 194
reports submitted by 432, 664
NEWTON, SHELDEN, Representative from Mahoning County—
appointed on committees 37, 38
bill introduced by 100
leave of absence granted to 298, 502, 542
motions made by 35, 295, 305, 320, 567
oath of office administered to 3
petitions presented by 139, 166, 168, 171, 221
reports submitted by 260, 658
NORTON, JAMES A., Representative from Seneca County—
appointed on committees 37, 38, 175
bills introduced by 17, 101, 502
leave of absence granted to 233, 546
motions made by, 40, 48, 49, 54, 61, 68, 71, 95, 122, 130, 392, 404, 505, 528, 546, 604, 633, 656, 683.
nomination by 7
oath of office administered to 4
petition and memorial presented by 122, 297
report submitted by 488
resolutions offered by 29, 53, 750
National Road—
to authorize Board of Public Works to lower culverts on. (See H. B. No. 262.)
National, and Western Reserve and Maumee Roads—
to authorize commissioners to take under control. (See H. B. No. 16.)
Navigation Lines—
for the protection of persons purchasing tickets on. (See H. B. No. 196.)
Notes, Bonds and Bills—
supplementary to act making certain instruments in writing negotiable. (See H. B. No. 142.)

New London, Huron County—
to authorize transfer of certain funds to school funds. (See H. B. No. 220.)
Newman, Jacob—
employed as porter 19
New Orleans—
communication from committee of seventy 45
Noyes, Edward F.—
official vote for 22
nomination for United States Senator 44
Northern Ohio Lunatic Asylum—
report of committee on 166
communication from 212

O

OREN, JESSE N., Representative from Clinton County—
appointed on committees 37, 38, 53, 275, 457, 627, 666
bills introduced by 43, 58, 75, 131, 438
leave of absence granted to 93, 298, 381, 502
motions made by, 18, 31, 48, 56, 72, 99, 138, 140, 171, 182, 200, 203, 241, 250, 253, 275, 289, 304, 329, 428, 436, 441, 457, 458, 470, 501, 529, 519, 564, 566, 592, 604, 656, 665, 669, 684, 691, 699.
oath of office administered to 3
petitions, memorials and remonstrances presented by, 273, 307, 308, 334, 415, 419, 561, 717.
reports submitted by 156, 235, 236, 289, 301, 328
resolution offered by 56
notice to discuss resolution 441
Offenses—
for the prosecution and punishment of certain. (See S. B. No. 30.)
to punish certain offenses therein named. (See H. B. No. 248.)
Officers—
fixing the liability of certain elective. (See S. B. No. 36.)
Ohio, State of—
for the reclamation of certain lands granted by the United States, etc. (See H. B. No. 345.)
Ohio Penitentiary—
amendatory to acts for the regulation and government of, and to revive section 17 of act of April 1, 1847. (See H. B. No. 65 and S. Bs. Nos. 40 and 169.)
for the government and regulation of. (See H. B. No. 94.)
Ohio River—
relative to the improvement of. (See S. B. No. 123.)
Ohio Soldiers' and Sailors' Orphans' Home—
to establish a voting precinct at. (See H. B. No. 119.)
to regulate and to repeal former acts. (See H. B. No. 320.)
to prevent the sale of intoxicating liquors at or near. (See H. B. No. 342.)
Ohio State Reports—
to provide for the publication of. (See S. J. R. No. 47.)
to provide for the republication of certain volumes. (See H. B. No. 264.)

Ohio University—
to refund certain funds to. (See H. B. No. 205.)
resolution in regard to. (See H. R. No. 72.)
amendatory and supplementary to act establishing. (See H. B. No. 319.)
Ohio Agricultural and Mechanical College—
to amend section 2 of the act to establish. (See H. B. No. 118.)
to provide for the reclamation of certain lands for the benefit of. (See H. B. No. 345.)
amendatory of act to establish and maintain. (See S. B. No. 71.)
directing the printing of report. (See S. J. R. No. 42.)
Oils, Mineral—
amendatory to act regulating sale of. (See H. B. No. 230.)
Orange Township, Carroll County—
to authorize trustees to build town hall. (See H. B. No. 284.)
Okey and Miller's Statutes—
relative to the purchase of. (See H. J. R. No. 23.)

P

Parker, Eli B., Representative from Brown County—
appointed on committees 37, 38
bills introduced by 42, 58, 77, 199, 278, 279
leave of absence granted to 144, 391
motions made by 94, 137, 195, 199, 239, 573
oath of office administered to 3
petitions presented by 50, 194, 254, 323, 509
reports submitted by 123, 200, 201, 244, 265, 270, 286, 339
Pattison, John M., Representative from Hamilton County—
appointed on committees 37, 75, 494, 544, 571
bills introduced by 289, 295, 300, 404, 474
leave of absence granted to 148
motions made by, 129, 185, 234, 306, 339, 395, 404, 405, 474, 527, 570, 610, 714, 716, 737.
reports submitted by, 100, 164, 201, 211, 216, 230, 236, 264, 274, 276, 283, 291, 292, 304, 315, 334, 348, 362, 363, 394, 451, 466, 472, 512, 547, 551, 557, 560, 592, 604, 608, 629, 631, 645, 651, 682, 695, 701, 708, 730, 738, 740, 745, 752, 753, 756, 758, 759, 760, 761.
amendments to bill 306
Pearson, Joseph E., Representative from Miami County—
appointed on committees 38, 511
bills introduced by 388, 483, 534
leave of absence granted to 34, 137, 149, 298
motions made by 110, 394, 511, 689
oath of office administered to 4
petition and remonstrance presented by 207, 239
reports submitted by 104, 486
Poe, Joseph M., Representative from Cuyahoga County—
appointed on committees 32, 37, 243, 474
bills introduced by 17, 234, 483

Poe, Joseph M., Representative from Cuyahoga County—
leave of absence granted to 298
motions made by.....29, 93, 126, 169, 238, 243, 269, 371, 474, 509, 541, 566
oath of office administered to..... 3
reports submitted by 39, 247, 500
Pages—
Charles F. Thompson,
Harry Cornell,
Harry Irvin,
Joseph Albert.
Charles Webster,
appointment of..... 11
Paint Township, Fayette County—
to create two election precincts in. (See S. B. No. 145.)
Partition of Real Estate—
to amend an act relative thereto. (See H. B. No. 36.)
Paulding County—
to remove drift from the rivers of. (See H. B. No. 49.)
Penal, Reformatory and Benevolent Institutions—
relative to the management of. (See H. B. No. 155.)
Penitentiary of Ohio—
for the government and regulation of. (See H. B. No. 94.)
amendatory to acts to regulate and govern, and to revive section 17 of act of April 1, 1867. (See H. B. No. 65 and S. Bs. Nos. 40 and 169.)
Per Diem of Officers and Members of the General Assembly—
to prohibit the payment of when absent. (See H. B. No. 1.)
Perry, Alva—
nominated for third assistant sergeant-at-arms 84
Perry Township, Lawrence County—
to authorize board of education to levy a tax. (See H. B. No. 51.)
Personal Property—
to exempt from execution. (See H. Bs. Nos. 106 and 192.)
amendatory of act to exempt from. (See H. B. No. 210.)

PETITIONS.

For an act to establish a joint sub-school district in Shelby county 21, 42
For the extension of the provisions of an act relative to levying a tax to pay the indebtedness of the board of education of Perry township, Lawrence county..... 21
For a law to provide for the use of certain moneys belonging to Crane township, Wyandot county.....21, 50
For a tax to buy a hearse for Summit county..... 32
For a speedy return to economy, and for a reduction of the salaries of State, county, district, township and village officers, 17, 76, 87, 114, 123, 127, 147, 150, 167, 201, 203, 206, 285, 303, 322, 323, 419, 474, 542.
To authorize the issuing of bonds to pay for a new school-house in Versailles, Darke county 41, 64
To authorize the trustees of Green township, Hamilton county, to execute a certain deed..... 42

To authorize the levy of additional taxes in Huntington township, Brown county.. 50
To prevent the destruction of forest trees, etc 50, 107
For a commission to examine books and papers of the officers of Preble county..... 56
For the repair of the National road in Licking county 57
For a special voting precinct in Liberty township, Henry county 57, 116
For a law authorizing commissioners to appropriate funds 57
For the relief of J. G. Brugger.....57, 103
For a special school district composed of Wheelersburg, Scioto county..... 57
For authority to purchase a hearse for Lagrange township, Lorain county..... 57
For a law to make hunting on the land of another a penal offense 73, 76, 195
For the relief of Bedford township, Meigs county..... 73
To prevent the keeping of ferrets to catch rabbits 76
For a law to protect physicians and surgeons from malicious prosecution for alleged malpractice, 76, 114, 143, 147, 148, 158, 168, 172, 194, 198, 201, 203, 225, 232, 255, 405, 443, 621.
For an amendment to H. B. No. 13.....87, 88
For the passage of H. B. No. 37.....92, 167
For a tax to build new school-houses in Canton..... 93
For damage sustained by Bernard Ritter.....96, 252
For a tax to purchase and improve fair grounds in Allen county 93, 254
For an additional election precinct in Middleton, Columbiana county..... 107
For the removal of the county seat of Wood county.....107, 172
For repeal of law allowing turnpike companies the right to increase rates of toll.. 107
For an amendment to law taxing real estate for the construction of gravel roads... 107
For an amendment to law for incorporated companies..... 108
For new school district in Madison township, Columbiana county..... 122
For modification of law empowering county commissioners to repair free turnpikes, etc 122
For the removal of the county seat of Mahoning county from Canfield to Youngstown.....139, 145, 166, 168, 171, 221
For a law authorizing county commissioners of Van Wert county to issue bonds for court-house and jail..... 143
To prevent legislation to embarrass work on the Cincinnati Southern Railroad, 143, 212, 231, 294, 353.
To prevent municipal corporations annexing territory without consent of a majority of legal votes therein.....147, 243
For a law regulating free turnpike system..... 147
To authorize Lake county to issue bonds for a new county infirmary..... 147
To authorize Salt Creek township, Holmes county, to build a school-house.....150, 217
To allow George C. Wilson $70 for work in the Legislature in 1865.. .....156, 181, 390
For repeal of additional powers conferred on Board of Public Works in collecting and regulating tolls on the Western Reserve and Maumee Road, passed April 28, 1873 158
For a joint sub-school district in townships of Gratis and Lanier, Preble county, and Jackson and German, Montgomery county..... 158
For the attachment of the north one-half of section 28, township 7, south, range 6, east, to joint sub-division No. 7, Franklin township, Shelby county..... 158
For the passage of H. B. No. 58..... 159
For certain changes in existing school laws.....159, 220, 323, 378, 717

Of George E. Borntz and others, of Butler county 159
For a new township in Wood county 167
For repeal of certain laws 168
For maintaining foot-walks and shade trees along highways 172
For damages by the Sidney feeder of the Miami Extension Canal 172
To authorize Seneca township, Monroe county, to levy a tax for volunteer bounties 172
For a State Board of Commissioners of National Centennial Exposition 172
For repeal of act appointing Police Commissioners for city of Columbus 194, 323
For free turnpike in Brown county 194
For a change in county ditch law 198, 273
For damages by the Laramie reservoir, Shelby county 201
For reduction of tolls on turnpikes and plank-roads 206
For passage of H. B. No. 35 .. 206, 302, 323, 382, 383, 395, 415, 158, 194, 286, 297, 302, 323, 336
To authorize Russell township, Geauga county, to purchase a hearse 206, 241
For a change in the fifth judicial district 206
For abandonment of Granville feeder, Licking county 206, 265
To authorize Avon township, Lorain county, to buy a hearse 206
To authorize Pickaway county to build a bridge 206
To authorize Darke county to pay indebtedness on fair grounds 212, 231
To protect gravel roads at certain seasons 212
For abolition of contract system in penitentiary 221, 381
For protection from trespassers, short weights, etc 222
To authorize Franklin county to locate a bridge and levy an additional tax 225
To authorize Hamilton county to build a bridge near Union bridge, 225, 285, 302, 353, 385
For the passage of H. B. No. 170 231
To make it a penal offense for any person hiring a horse to abuse, injure or kill the same 242, 285, 286, 303, 308, 353, 395, 420
To authorize Lagrange township, Lorain county, to levy a tax and erect a town hall 245
To authorize New London township, Huron county, to transfer certain funds raised to the school fund 245, 261
For an act to secure competition in publishing school-books 248
For amending the municipal code 249
For changing the term of the Common Pleas Court in Ashland county 249
To amend an act passed April 16, 1873, relating to the personal earnings of a debtor with minor children 252, 255
To prevent the erection of toll-gates within three miles of any village or town 253
To construct eleven miles of turnpike in Brown and Highland counties 254
To authorize sub-school district No. 5, Royalton township, Fulton county, to organize a special school district 254
For a reduction of taxes 255
To authorize Coshocton and Knox counties to build a bridge across Mohican river .. 264
For the passage of H. B. No. 143 265
For an act amendatory of the present act regulating municipal corporations 285
For an act relating to the removal of the county seat of Morrow county 286, 294, 303
To enable the board of education of the separate school district of Caledonia, Marion county, to dispose of bonds 294, 496
To authorize Atwater, Portage county, to purchase a hearse 301
To exempt farming land within city limits from taxation for municipal purposes ... 301

For an act making members of secret oath-bound societies incompetent as jurors, 303, 419, 552
For repeal of law creating a sub-school district in Franklin township, Coshocton county 308, 377
For an appropriation to drain swamp lands in Logan county 323
For the improvement of culverts along the Ohio canal 323, 336
For the abandonment of the Hocking canal from Nelsonville to Athens 324
For repeal of section 2 of the act restraining certain animals from running at large 332, 419, 442
For an act enabling Ashland county to sell present county infirmary and purchase another 332
For the passage of H. B. No. 122, prohibiting importation, manufacture and sale of intoxicating liquors 334, 419
For the removal of the guard-lock near Jasper, Pike county 334
To enable county commissioners to reduce the width of a road 336
Authorizing Spencer township, Hamilton county, to sell present town hall and purchase another 353
To authorize Delta school district, Lawrence county, to prohibit the selling or giving away of intoxicating liquors 382
For the passage of H. B. No. 203 ..... 283, 382, 395, 415, 419, 441, 442, 474, 475, 508, 553, 554, 561, 610, 611, 613, 636.
For an extension of time of payment of certain school bonds in Medina village, 385, 388
For two election precincts in Salem township, Columbiana county 385
For an amendment to the Adair law 385, 387, 395, 405, 419
For a law authorizing Lucas county to purchase fair grounds 385
For the removal of the county seat of Adams county 391, 405, 474
For a new school district in Jefferson township, Guernsey county 393, 498
For a special school district in Jefferson county 395
For the consolidation of sub-school districts Nos. 5 and 7, in Canaan township, Monroe county 405
For a division of Solon township, Columbiana county, into two election precincts .. 419
Authorizing Pike county to issue bonds for the construction of free turnpikes 419
For a sub-school district in Franklin township, Licking county 420, 436
For the passage of H. B. No. 279, relating to Madison county 420
For a division of school district No. 3 into two school districts, in Beaver Creek township, Green county 427, 434
Authorizing villages containing chartered colleges to regulate the sale of intoxicating liquors 441
For a reduction of tolls on the Cincinnati and Harrison turnpike 442
Authorizing certain changes in Muskingum county for the erection of a court-house 443, 475, 610
For a special school district in Berlin township, Delaware county 443
Dividing Scipio township, Meigs county, into two election precincts 474
For the passage of H. B. No. 290, relating to Polk township, Crawford county 474
For the relief of Walter Crook 475
For the relief of William Van Doren, treasurer of Washington township, Warren county 508, 589
Authorizing the Knox County Agricultural Society to sell certain lands 554
For the passage of H. B. No. 300, relating to Madison County Agricultural Society .. 561

To incorporate Milford, Clermont county 561
To incorporate Magnolia, Stark county 561
Authorizing Harpersfield township, Ashtabula county, to sell cemetery land and invest elsewhere 561
Authorizing Mantua township, Portage county, to purchase a hearse 613
Authorizing Brookville, Montgomery county, to hold a special election 613
To prohibit the sale of spiritous liquors by peddlers 700
For the passage of H. B. No. 330 717
Piatt, A. S.—
official vote for 22
Pickaway County—
to authorize commissioners of to levy tax to build bridge. (See H. B. No. 191.)
to attach to second sub-division of fifth judicial district. (See H. B. No. 181.)
Pickering, Joseph L.—
nominated for first assistant sergeant-at-arms 7
Pierce, Joseph S —
for the relief of. (See H. B. No. 69.)
Pharmacy—
to regulate the practice of in certain cities. (See S. B. No. 151.)
Platting—
amendatory of act regulating. (See H. B. No. 331.)
Plank-roads and Turnpikes—
relative to tolls on. (See H. B. No. 93.)
Plummer, Charles W.—
nominated for third assistant sergeant at-arms 84
Phelan, Peter, James Webster, and John M. C. Marble—
for the relief of. (See H. B. No. 292.)
Poisons—
to regulate the sale of. (See H. B. No. 21.)
Police Commissioners—
supplementary to act authorizing appointment of. (See H. B. No. 214.)
Police in Cities of the First Class—
to repeal an act for the organization of. (See S. B. No. 101.)
Polk Township, Crawford County—
to authorize trustees to build a town hall. (See H. B. No. 290.)
Political Associations—
to protect the elections of, etc. (See House Bills Nos. 183, 224.)
Poor—
amendatory of act for relief of. (See House bills Nos. 218, 292, and 306.)
Porter Township, Scioto County—
to authorize the creation of a separate school district in. (See H. B. No. 95.)
Printing, Public—
sergeant-at-arms to report cost of printing labels ..... ---
printing report of Secretary of State. (See S. J. R. No. 10.)
copies of orders of business. (See H. R. No. 39.)
to provide for printing laws, journals, etc. (See H. B. No. 114.)
to provide for printing the new constitution. (See H. B. No. 333.)
Prison Reform—
lecture on, by E. C. Wines 142

Property—
appropriation of by corporations. (See H. B. No. 156.)
Prosecuting Attorneys—
to provide for filling vacancy in case of death or other causes. (See H. B. No. 40.)
Probate Courts—
to amend an act defining jurisdiction of. (See H. B. No. 127.)
to authorize corrections of errors in findings. (See H. B. No. 176.)
Protest—
against passage of H. B. No. 285 532
Public Assemblies—
to provide for the safety of persons attending. (See H. B. No. 140.)
Put-in-Bay, Ottawa County—
to authorize the creation of two election precincts. (See S. B. No. 131.)
Public Funds—
amendatory of act to provide for safe-keeping of. (See H. B. No. 184.)
Public Works, Board of—
relative to building bridge over Sandusky river. (See S. B. No. 3.)
to lower culverts on National road. (See H. B. No. 62.)
to repeal an act conferring additional powers on. (See H. B. No. 154.)
committee on, granted leave of absence 274, 379, 473
to authorize to construct culvert. (See H. B. No. 279.)
Punitive Institutions—
limiting appointments to office in. (See H. B. No. 355.)

R

Ramsay, Richard, Representative from Adams County—
appointed on committees 37, 38
bills introduced by 371, 609
leave of absence granted to 68, 145, 295, 370, 484
motions made by 325, 395, 609
oath of office administered to 3
petitions and memorials presented by 143, 405, 474
reports submitted by 261, 429, 479, 664, 730
prayer by 473, 521, 551, 613, 645, 658, 689
Ray, Jacob B., Representative from Pike County—
appointed on committees 37, 38
leave of absence granted to 195, 298, 365
oath of office administered to 4
petitions presented by 334, 419
reports submitted by 145, 281, 350, 433
Richards, Reese G., Representative from Jefferson County—
appointed on committees 37, 38, 63, 271, 348, 403
bills introduced by 251, 394
leave of absence granted to 201, 546, 646
motions made by ..78, 125, 129, 215, 250, 271, 334, 348, 361, 391, 403, 484, 520, 629, 681, 714.
oath of office administered to 3
petitions, memorials and remonstrances presented by 158, 173, 238, 252, 700

RICHARDS, REESE G., Representative from Jefferson County—
reports submitted by....380, 393, 428
resolutions offered by....61, 92, 761
RICHMOND, D. C., Representative from Erie County—
appointed on committees....37, 38, 346
bills introduced by....75, 77, 234
leave of absence granted to....128
motions made by....72, 100, 114, 275, 288, 301, 346, 356, 451, 534, 567, 576, 577, 634
nomination made by....6
oath of office administered to....3
memorial presented by....285
resolution offered by....507
ROBB, THOMAS M., Representative from Allen County—
appointed on committees....37, 38, 172, 335
bills introduced by....36, 101
motions made by....57, 113, 497
oath of office administered to....3
petitions, memorials and remonstrances presented by, 76, 93, 138, 213, 254, 265, 298, 382, 383.
reports submitted by, 81, 102, 136, 137, 181, 182, 236, 261, 262, 317, 346, 379, 492, 493, 510, 547, 548, 612, 632, 657.
Rabbits—
to prevent the use of ferrets to catch. (See H. B. No. 108.)
Railroads—
to secure pay to persons performing labor on. (See H. B. No. 11.)
to prohibit railroad officials from issuing passes to certain officials. (See H. B. No. 17.)
to regulate fares on. (See H. B. No. 28.)
to amend act providing for fences and cattle-guards. (See H. B. No. 59.)
to prevent collisions on. (See H. B. No. 63.)
to amend act regulating freight charges on. (See H. B. No. 134.)
for the protection of persons purchasing tickets. (See H. B. No. 196.)
to repeal the act authorizing townships, corporations, etc., to build, lease, and operate railroads. (See S. B. No. 1.)
Railroad Commissioner's Report—
concerning the binding thereof. (See S. J. R. No. 34.)
Ravenscroft, Henry T.—
elected and qualified as fourth assistant clerk....83
Real Estate—
to amend act for the partition of. (See H. B. No. 36.)
Recorders of County—
to prevent from acting as conveyancers. (See H. B. No. 327.)
Reformatory Institutions—
for the reorganization of certain, and to repeal certain acts. (See H. B. No. 328.)
Reform Schools—
committee on granted leave of absence....312
Religious Denominations—
to enable trustees of to become incorporated. (See H. B. No. 310.)

REMONSTRANCES.

Against the transfer of the Wester Reserve and Maumee Road 107
Against any modification of the present liquor laws, 107, 122, 123, 194, 231, 238, 245, 248, 249, 254, 265, 273, 281, 282, 284, 285, 294, 298, 301, 302, 303, 307, 308, 316, 323, 336, 352, 353, 381, 383, 387, 395, 405, 415, 419, 437, 441, 442, 474, 475, 506, 521, 553, 561, 609, 636, 682, 689, 700.
Against making appropriation for per diem of members of the Constitutional Convention during the holidays 114
Against any law for the relief of J. G. Brugger 118
Against the removal of the county seat of Wood county 122
Against the purchase and improvement of agricultural grounds in Allen county, 138, 213, 265, 382.
Against the passage of H. B. No. 35.....76, 156, 167, 168, 194, 150, 187, 194, 222, 239, 159, 198, 206, 207, 222, 225, 226, 231, 243, 245, 253, 254, 247, 273, 282, 297, 298, 308, 309, 323, 324, 353, 382, 442.
Against the removal of the county seat of Mahoning county 162, 169, 206
Against the passage of H. B. No. 37 .....
Against reduction of tolls on turnpikes 201, 239
Against passage of H. B. No. 170 .....212, 245, 253, 265, 294, 225, 231, 232, 255
Against passage of H. B. No. 143.....212, 225, 231, 245
Against passage of H. B. No. 132.....254
Against a new sub-school district in Madison township, Columbiana county.....265
Against the passage of H. B. No. 196.....286, 294, 321, 332, 334, 353
Against the passage of H. B. No. 203 .....323, 395
Against the passage of any act to vacate the Hocking canal at Nelsonville 324
Against repeal of law creating sub-school district in Franklin township, Coshocton county 330, 377
Against passage of H. B. No. 229, relating to the public library of Cincinnati 336
Against authorizing Canton, Stark county, to borrow $100,000 to build school-house.198
Against the removal of the county seat of Morrow county.....282
Against the abandonment of the Granville feeder in Licking county.....385
Against the passage of H. B. No. 53 398
Against the passage of H. B. No. 214 .....415, 419, 442
Against the repeal of section 2 of the act restraining certain animals from running at large.....427
Against the passage of H. Bs Nos. 215 and 250.....475
Against creating a special school district in Berlin township, Delaware county.....542
Aagainst creating a special school district in Wayne township, Jefferson county....700
Against the passage of S. B. No. 137.....737
Against the passage of H. B. No. 330.....716, 734

Removals from office—
the Governor authorized to make in certain cases. (See S. B. No. 167.)
Reports of committees—
[For all reports of committees on Bills and Resolutions, refer to tables of bills and resolutions under letters "B" and "R"]
Resolutions. (See resolution table p. 868.)

RESOLUTIONS.

HOUSE RESOLUTIONS.

Number.	Author and Title.	Proceedings.	Adopted.
1	Mr. Case: Relating to message to Senate in regard to organization	8	8
2	Mr. White: Authorizing the sergeant-at-arms to make arrangements with the city postmaster	8	8
3	Mr. Lewis: Relating to recess at 2½ o'clock, and adjournment until the next day	8	8
4	Mr. Scott: Relating to the adoption of the rules of the last House	8	8
5	Mr. Baker of Fairfield: Relating to the furnishing of books for the use of members during the session	8	8
6	Mr. Weible: Relating to the choice of seats	8, 11	11
7	Mr. Hodge: Relating to congressional salary bill	10, 14	....
8	Mr. Grosvenor: Relating to Senators Sherman's and Thurman's speeches in the United States Senate on the salary bill	10, 14	....
9	Mr. McCoy: Making the selection of seats the special order for the afternoon at half-past two	10	10
10	Mr. McCoy: Requesting the Speaker to invite ministers of the Gospel to open the daily sessions with prayer	10	10
11	Mr. Eshelman: Inquiring of the Commissioner of Railroads and Telegraphs as to the possibility of lessening the danger to persons coupling freight cars	18	18
12	Mr. White: Directing the sergeant-at-arms to employ janitors	19	20
13	Mr. Norton: Requiring the sergeant-at-arms to procure printed labels for public documents	29	29
14	Mr. Lewis: Relative to the per diem of pages	34	34
15	Mr. Bell: Relative to compensation of former sergeant-at-arms	34	35
16	Mr. Weible: Relative to the use of the Hall for a temperance lecture	40	....
17	Mr. Lewis: Relating to diagrams of the House	44, 58	....
18	Mr. Armstrong of Belmont: Relative to the distribution of public documents	44	....
19	Mr. Hodge: Requesting the committee on Rules to report as to the propriety of amending rule No. 62	45	....
20	Mr. Sherrick: Relative to woman suffrage	45, 53	....
21	Mr. Thompson of Lucas: Creating a committee to codify the road laws	46	46
22	Mr. Holloway: Prohibiting smoking in the Hall of the House	47	48
23	Mr. Eshelman: Calling for estimates from the various State officers	51	52
24	Mr. Huston: Relative to compensation to Louis Kammerer	52	53
25	Mr. Case: Authorizing the appointment of additional messenger boys	55	....

HOUSE RESOLUTIONS—Continued.

Number.	Author and Title.	Proceedings.	Adopted.
26	Mr. Norton: Regarding order in the lobby	53	
27	Mr. Chapman of Cuyahoga: Relative to women voting on questions regarding public schools	53	
28	Mr. Lewis: Relative to furnishing committees with blanks, etc	53	53
29	Mr. Neff: Providing for a committee of five to inquire as to the feasibility and expediency of altering the present laws relative to the collection, keeping and disbursing of moneys arising from taxation	54	54
30	Mr. Kemp: Providing a blank book for the secretaries of committees	55	55
31	Mr. Weible: Relative to a codification of the ditch laws	56	56
32	Mr. Oren: Relative to the submission of laws of a local character to a vote of the people	56	
33	Mr. Kemp: Relative to codifying the ditch laws	61	61
34	Mr. White: Relative to the appointment of Willie Toll as messenger	61	61
35	Mr. Richards: Creating a committee to codify the election laws	61	61
36	Mr. Haven: Relative to an adjournment	62	
37	Mr. Brunner: Relative to printing	63	63
38	Mr. Loomis: Relative to an adjournment	63	
39	Mr. McCoy: Relative to printing order of business	70	70
40	Mr. Walker: Relative to third assistant sergeant-at-at-arms	73	
41	Mr. Bell: Relative to the compensation of C. B Flood	76	76
42	Mr. Brunner: Relative to printing for members	81	
43	Mr. Vincent: Regarding reduction of salaries and fees of State officers	81	81
44	Mr. Loomis: Relative to members gambling	81	
45	Mr. Gordon: Relative to the election of additional clerks	82	82
46	Mr. Gordon: Relative to the election of a third assistant sergeant-at-arms	84	84
47	Mr. Eshelman: Requesting information as to the removal of the Constitutional Convention	87	87
48	Mr. Haag: Relative to the calendar	92	
49	Mr. Mann: Relative to printed lists of committees	93, 100	
50	Mr. Sherrick: Relative to geology and mining	106	
51	Mr. Kemp: Relative to the completion of the Washington monument, at Washington, District of Columbia		
52	Mr. McCloud: Relative to compensation to W. Cool	113	
53	Mr. Varley: Relative to granting use of the hall to a lecture on prison reform	118, 127	
54	Mr. Eshelman: Relative to estimates of funds for the Northern Ohio Lunatic Asylum	119	119
55	Mr. Case: Relative to boarders in the family of the Warden of the Penitentiary	122, 259, 281	
56	Mr. Eidson: Requiring the chairman of the committee on Public Printing to examine the contract with the State Printer	122	
57	Mr. Vincent: Relative to the collection of State taxes	141	
58	Mr. Case: Thanking a lecturer on prison reform	142	142
59	Mr. Scott: Authorizing the clerk to assign his assistants to such positions as he deems fit	149	149
60	Mr. Scott: Requesting certain information from the trustees of the Northern and Central Lunatic Asylums	157	157

HOUSE RESOLUTIONS—Continued.

Number.	Author and Title.	Proceedings.	Adopted.
61	Mr. Scott: Requesting an opinion from the Attorney-General regarding the transferring of funds in the State Treasury from one fund to another	158	158
62	Mr. Lewis: Directing the trustees of the Northern Lunatic Asylum to report certain information to the House	187	187
63	Mr. Loomis: Relating to tri-weekly adjournments from Friday to Tuesday	195	...
64	Mr. Morris: Instructions to the sergeant-at-arms	195	195
65	Mr. Brunner: Instructions to the Secretary of State relative to State printing	198	198
66	Mr. Brunner: Instructions to the committee on the Judiciary relative to State printing	198	198
67	Mr. Bell: Authorizing the sergeant-at arms to procure cane-seated chairs	198, 218	218
68	Mr. Sherrick: Relative to the election of township trustees	203	203
69	Mr. Brunner: Relative to electing Samuel Shaffer official reporter	222, 239	...
70	Mr. Eidson: Instructing the committee on Common Schools and School Lands to make certain inquiry	238	238
71	Mr. Scott: Relative to messages to Senate	248	248
72	Mr. Grosvenor: Requesting the Auditor of State to furnish certain information	277	277
73	Mr. Blake: Relative to the taxation of notes secured by mortgage	291	291
74	Mr. Harrison: Relative to calendars	291	291
75	Mr. Baker of Fairfield: Relative to the Warden of the Penitentiary	297	297
76	Mr. Scott: Relative to the official conduct of the Secretary of State	330	....
77	Mr. Brunner: Relative to stationery of the Constitutional Convention	335	....
78	Mr. Scott: Requiring certain information from the Superintendent of the Athens Lunatic Asylum	338	338
79	Mr. Grosvenor: Relative to the breakage of the Hocking canal	351	351
80	Mr. Grosvenor: Relative to widening and deepening the Hocking canal	352	352
81	Mr. Brunner: Relative to leaves of absence to members	352	....
82	Mr. Brunner: Relative to use of the House for delivering a lecture by Capt. Sam'l Whiting	389	389
83	Mr. Scott: Relative to the expenses of the Northern Ohio Lunatic Asylum	390	390
84	Mr West: Relative to the possession of certain State property in Cincinnati	391	391
85	Mr. Scott: Relative to the death of Charles Sumner	414	414
86	Mr Loomis: Prohibiting leaves of absence to the members	441	....
87	Mr. Case: Requesting the Auditor of State to report certain information to the House of Representatives	441	441
88	Mr Watson: Relative to evening sessions	472	....
89	Mr Brunner: Relative to procuring new post-office boxes	502	....
90	Mr. Neff: Relative to the removal of the Speaker's stand during the vacation	503, 612	....
91	Mr. Johnson: Requesting an opinion relative to taxes for payment of debts of agricultural societies	509	509

HOUSE RESOLUTIONS—Continued.

Number.	Author and Title.	Proceedings.	Adopted.
92	Mr. Bell: Requesting the Board of Public Works to have certain culverts on the National Road examined	553	553
93	Mr. Scott: Requesting the Auditor of State to report as to the sufficiency of the levies for the general revenue and asylum funds	560	560
94	Mr. Eshelman: Requesting information from the Auditor of State as to the realization of estimates.	565	565
95	Mr. Light: Relating to fixing the maximum amount of legal tenders at $400,000,000	595	....
96	Mr. Brunner: Inquiring into the delay of the Public Printers in reference to certain reports	596	596
97	Mr. Pattison: Relative to extra per diem to Isaac T. Moore	716	....
98	Mr. McLain: To authorize the Chief Clerk to employ additional clerical force	719	719
99	Mr. Waston: Authorizing the printing of an opinion of the Attorney-General in the Appendix	720	720
100	Mr. Sater: Allowing George Riley and Henry Brigamon pay for three days' extra services as porters	747	747
101	Mr. Hodge: Allowing Fred. Blankner ten days' extra services	747	747
102	Mr. Grosvenor: Allowing $50 each extra pay to the subordinate clerks of the House	749	....
103	Mr. Norton: Allowing the first assistant sergeant-at-arms ten days' extra pay	750	....
104	Mr. Grosvenor: Tendering the thanks of the House to the Speaker	758	758
105	Mr. Boyce: Allowing the Clerk of the House pay for 160 days to complete the records	758	758
106	Mr. Gowey: Tendering the thanks of the House to the Speaker *pro tem*	759	759
107	Mr. Grosvenor: Appointing a committee to investigate and report concerning express and telegraph companies	759, 761	761
108	Mr. Richards: Tendering the thanks of the House to the clerk and his assistants, to the sergeant-at-arms and his assistants, and the pages	761	761

HOUSE JOINT RESOLUTIONS.

Number.	Author and Title.	Proceedings.	Signed.
1	Mr. McLain: Instructing our Senators and Representatives in Congress to secure the immediate repeal of the salary bill	9, 10, 14, 138	....
2	Mr McCoy: Providing for a joint committee of the two Houses to report rules for the government of the same	11, 18	....
3	Mr. Scott: Relating to salaries of Senators and Representatives in Congress	41, 102, 297, 301	....
4	Mr. Scott: Relative to the passage of such laws and making such appropriations as are absolutely necessary before the adoption or rejection of the new Constitution	[200 35, 94, 120, 177, 192, 197,	200
5	Mr. Scott: Relative to the printing of the rules	40, 132, 164	....
6	Mr. Mack: Requiring notice from committees to authors of bills	67	....
7	Mr. Sater: Relative to the length of the present session	49	....
8	Mr. Sheppard: To protect the interest of wool-growers in the State of Ohio	54, 104	....
9	Mr. Haag: Relative to furnishing Swan and Critch field's Statutes	61, 111	....
10	Mr. Scott: Relating to printing the Secretary of State's report	[232, 245, 269 61, 77, 93, 105, 204, 217,	269
11	Mr. Heitmann: Relative to printing the report of the Secretary of State in German	91, 116, 120	....
12	Mr. McCoy: Favoring an expansion of the currency	91, 211, 221	....
13	Mr. Richards: Relative to the printing of the Secretary of State's report	92, 116, 235, 241	....
14	Mr. Holloway: Relative to the bill before Congress regarding the abuse of position by railway officers	92, 122	....
15	Mr Beatty: Relative to compensation for flooded lands by the Lewistown reservoir	106, 238	....
16	Mr. Kemp: Relative to the completion of the Washington monument	106, 296, 730	....
16½	Mr. Baker of Coshocton: Relative to expense of committees	140	....
17	Mr. Armstrong of Belmont: Relative to a change in the method of election of President and Vice-President of the United States	141; 660, 695	695
18	Mr. McCloud: Relative to the State debt for arms, etc, furnished by the General Government	141, 155	....
19	Mr. Loomis: Relative to the extension of patents to sewing machine manufacturers	145	....
20	Mr. Haag: Relative to the Wabash and Erie canal	152, 221	....
21	Mr. Blake: Relative to the use of stone coal instead of coke in warming the State House	158	....
22	Mr. Haag: Authorizing the Secretary of State to exchange copies of Swan and Sayler for copies of Swan and Critchfield's Statutes	166, 280, 357, 394	394
23	Mr. Lewis: Authorizing contracts for certain work at the Central Ohio Lunatic Asylum	221	....
24	Mr. Morris: Relative to a *sine die* adjournment of the Legislature March 10, 1874	240, 291	....
25	Mr. McCoy: Relating to printing of extra copies of H. B. No. 203	250, 251, 258, 274	274
26	Mr. Archer: Relative to furnishing statutes to the Cincinnati Law Library	292	....

HOUSE JOINT RESOLUTIONS—Continued.

Number.	Author and Title.	Proceedings.	Signed.
27	Mr. Mesloh: Relative to printing the report of the Commissioner of Common Schools	296, 351, 355, 689, 708	708
28	Mr. Scott: Relative to an adjournment	331	----
29	Mr. Scott: Relative to patents and their extension	389, 435	----
30	Mr. Eidson: Relative to adjournment March 26, 1874	389	----
31	Mr. Loomis: Relative to adjournment and leaves of absence	391	----
32	Mr. Coler: Relative to elections for State, county, township and municipal officers	394	----
33	Mr. Scott: Relative to codifying laws on corporations other than municipal	435, 622	----
34	Mr. White: Directing the Secretary of State to box and ship certain documents	438, 463	527
35	Mr. Case: Relative to constructing a culvert on the National Road, near Columbus	492, 728	----
36	Mr. Holt: Creating a select committee of three to examine the cells, etc., of the Penitentiary	504, 544, 588	588
37	Mr. McCoy: Relative to printing copies of Agricultural reports	506, 742, 760	760
38	Mr. Richmond: Relating to the printing and binding of the report of the Ohio Horticultural Society	507, 605	----
39	Mr. Hodge: Relative to arms issued to the State of Ohio by the General Government	508	----
40	Mr. Scott: Relative to a bill regulating railroad charges, now pending in the Congress of the United States	553, 595	----
41	Mr. Brunner: Requesting the Constitutional Convention to print the report of the joint committee to investigate alleged frauds in stationery supplies	556, 571, 604	604
42	Mr. Case, from the committee on Common Schools and School Lands: Relative to school lands to which Butler county is entitled	587	----
43	Mr. Thompson of Lucas: Relative to an adjournment	609	----
44	Mr. Bell: Appointing a select committee to examine the public works of the State	690, 742	----
——	Mr. Brunner: Requesting the State Printer to complete the printing of the rules of the two Houses	121	121
45	Mr. Case: Appointing a joint committee of the two Houses to investigate into the management of certain benevolent State institutions	757, 761	----

SENATE JOINT RESOLUTIONS.

Number.	Author and Title.	Proceedings.	Signed.
1	Mr Andrews: Providing for a joint select committee to wait on the Governor	12	....
2	Mr. Newman: Providing for a joint select committee to arrange for the inauguration of the Governor and Lieutenant-Governor	13	....
3	To canvass the vote for State officers at the October election of 1873	13	....
4	Mr. Newman: To adopt the joint rules of the last General Assembly for the government of both houses until otherwise ordered		....
5	Mr. Thompson: Regarding the appointment of a joint committee to report joint rules for the government of this General Assembly		....
6	Mr. Newman: Relative to printing copies of programme of inauguration ceremonies	32	....
8	Relative to meeting in joint assembly on the election of United States Senator	47	....
11	Mr. Seitz: Relative to frauds in the construction of the Central Lunatic Asylum	109, 111, 200	200
13	Mr. Knox: Relative to the distribution of copies of the rules of both houses	138, 200	200
14	Mr. Jones: Directing the cancellation of certain bonds in the hands of the Treasurer of State	203, 279	....
16	Mr. Waddle: Providing for the admission of David Elder into the Southern Lunatic Asylum	224, 230	230
17	Mr. Buell: Relative to the relief of T. F. and W. A. Jones, contractors	[746, 756 512, 513, 550, 634, 735,	756
19	Mr. Worthington: Authorizing the employment of a clerk by the select committee on the Central Lunatic Asylum expenditures	228, 276	276
20	Mr. Fisher: Declaring what shall be a proper engrossment of a bill	239	
22	Mr. Philson: For the payment of the claim of Drusilla Rouch	283, 315	315
23	Mr. Burns: As to auditing the expenses incurred by committees of the two houses of the General Assembly	301, 327, 362	362
24	Mr. Butterworth: Directing the disposal of certain geological specimens	417, 451	451
25	Mr Butterworth: Authorizing the Commissioners of the State Library to make improvements in the library room	385, 490, 552	552
28	Mr. Jones: Appointing a committee to investigate matters relative to furnishing stationery supplies by the Secretary of State	335, 357, 363	363
29	Mr. Corwin: Directing the printing and distribution of the laws of the sixty-first General Assembly	357, 425	425
30	Mr. Andrews: Relative to the death of ex-President Fillmore	409, 425	425
31	Mr Newman: Determining on a day on which to adjourn	460, 552	552
32	Mr. Jones: Directing the employment of a clerk by a select committee	409, 425	425
33	Mr. Goodhue: Expressing sorrow for the death of United States Senator Charles Sumner	445, 508, 552	552
34	Mr. Corwin: Relating to claims on the General Assembly	634, 663	....
36	Mr. Thompson: Rescinding S. J. R. No 31	530, 604	604
37	Mr. Corwin: Appropriating money to Mary and Ellen Waters	522, 620, 725, 756	756

SENATE JOINT RESOLUTIONS—Continued.

Number.	Author and Title.	Proceedings.	Signed.
38	Mr. Kerr: Relative to the collection of damages by John Morgan's raid	634, 693, 740	740
39	Mr. Hathaway: Directing the clerks to prepare a calendar of unfinished business	676, 740	740
42	Mr. Waddle: Directing the printing of the report of the Agricultural College	684, 685, 740	740
44	Mr. Newman: Directing the binding of the Railroad Commissioner's report	615, 630, 682	682
45	Mr. Knox: Providing for the printing and distributing of the second volume of the final report of the Geological Corps of Ohio	684, 685, 698, 740	740
46	Mr. Seitz: Relative to adjournment	691, 701,	701
47	Mr. Jones: To provide for the publication of the Ohio State Reports	683, 754, 759	759
48	Mr. Knox: Authorizing the Secretary of State to distribute certain reports	727, 756	756
49	Mr. Potter: Directing the Secretary of State to take possession of certain plates used in the publication of Geological reports	733, 761	761
50	Mr. Reid: Requiring the directors, trustees and commissioners of State institutions to make detailed quarterly reports	733, 734, 749, 756	756

Rexford, Rev. E. L.—
prayer by 122, 127, 137, 142
Richland County—
for the relief of the treasury of. (See S. B. No. 23.)
to change time holding term of court. (See H. B. No. 156.)
Richmond, Rev. J. M.—
prayer by 362, 380
Riley, George—
employed as porter 19
Ripley and Hillsborough Free Turnpike Road—
to authorize commissioners of Brown and Highland counties to complete. (See H. B. No. 227.)
Ritter, Bernard—
for the relief of. (See H. B. No. 212.)
Roads and Highways—
amendatory and supplemental to acts relative to. (See H. Bs Nos 20, 22, 48, 80, 130, 136, 144, 225, and S. B. No. 88.)
to authorize commissioners to repair in certain cases. (See H. B. No. 298.)
to authorize commissioners Washington county to levy tax. (See S. B. No. 125.)
to authorize commissioners Brown county to construct free turnpike road. (See H. B. No. 174.)
to authorize commissioners Washington county to construct road in Belpre township. (See H. B No. 11.)
Ross County—
to authorize commissioners to transfer funds and issue bonds to complete county infirmary. (See H. B. No. 60.)
Rouch, Drusilla—
payment of claim of. (See S. J. R No. 22.)
Royalton Township, Fulton County—
to create a separate school district in. (See H. B. No. 98.)
Rules—
temporary, adopted 8
committee to draft permanent 11
report of 23
joint committee 64
Rumley Township, Harrison County—
for the consolidation of sub-school districts Nos. 5 and 7. (See H. B. No. 280.)
Russell Township, Geauga County—
to authorize trustees of to levy tax to purchase hearse. (See H. B. No. 204.)

S

Sater, Thomas E, Representative from Hamilton County—
appointed on committees 37, 38, 75, 228, 304, 494
bills introduced by 18, 70, 75, 88, 278, 279, 439
leave of absence granted to 68, 298, 370, 540
motions made by, 75. 126, 228, 238, 257, 293, 319, 354, 359, 369, 398, 462, 506, 626, 634, 687.
oath of office administered to 3

SATER, THOMAS E., Representative from Hamilton County—
petitions and remonstrance presented by 159, 167, 239, 442
report submitted by 120
resolutions offered by 49, 62, 747
SCOTT, JAMES, Representative from Warren County—
appointed on committees, 4, 18, 37, 52, 99, 146, 179, 182, 217, 255, 275, 305, 540, 602, 608, 630, 706.
bills introduced by 101, 116, 278, 689
leave of absence granted to 195
motions made by, 22, 29, 31, 33, 35, 41, 44, 45, 49, 51, 56, 63, 72, 77, 78, 88, 91, 94, 99, 105, 106, 108, 109, 111, 116, 119, 125, 127, 132, 133, 149, 157, 163, 164, 175, 179, 180, 182, 186, 189, 193, 194, 196, 198, 203, 204, 209, 214, 215, 219, 222, 223, 232, 241, 253, 255, 256, 259, 275, 280, 281, 284, 292, 297, 301, 304, 305, 307, 309, 310, 319, 330, 354, 356, 359, 361, 364, 369, 370, 375, 379, 383, 388, 389, 411, 412, 414, 415, 416, 428, 435, 437, 445, 456, 473, 475, 483, 488, 499, 500, 504, 505, 522, 525, 526, 528, 529, 539, 541, 550, 559, 564, 576, 585, 587, 592, 595, 596, 598, 601, 608, 614, 616, 619, 617, 630, 638, 649, 651, 653, 668, 672, 675, 677, 680, 689.
oath of office administered to 4
nominated for speaker 4
petitions, memorials and remonstrances presented by, 17, 123, 147, 203, 284, 316, 394, 508, 523, 682.
reports submitted by 80, 179, 182, 185, 234, 280, 309, 344, 456, 585, 608, 696
resolutions offered by, 8, 18, 35, 40, 41, 61, 149, 157, 158, 248, 330, 331, 338, 389, 390, 414, 435, 553, 560.
division of question demanded by 559
SHEPPARD, JOHN B., Representative from Muskingum County—
appointed on committees 37, 38, 130
bills introduced by 34, 146, 233
leave of absence granted to 107, 298, 361, 551
motions made by 129, 428, 524, 623, 707, 726
nomination made by 84
oath of office administered to 4
petition and memorial presented by 475, 734
resolution offered by 54
SHERRICK, JOHNSON, Representative from Stark County—
appointed on committees 37, 38
bills introduced by 67, 68, 102
leave of absence granted to 146, 298
motions made by 84, 202, 224, 400, 416, 434, 457, 460, 686, 699, 722
oath of office administered to 4
petitions and remonstrance presented by 76, 93, 167, 198, 285, 323, 561
reports submitted by 67, 128, 143, 180, 240, 353, 396, 492, 522, 568, 666, 693, 698
resolutions offered by 45, 106, 203
STONE, E. A., Representative from Gallia County—
appointed on committees 37, 38, 57
bills introduced by 32, 101, 251
leave of absence granted to 172
motions made by 291, 316
nomination made by 7

STONE, E. A., Representative from Gallia County—
oath of office administered to 3
remonstrances presented by 245, 474, 636
Sage, H. H.—
nominated for third assistant sergeant-at-arms 84
Salem Township, Columbiana County—
to create two election precincts in. (See H. B. No. 259.)
Sales at Auction—
amendatory of acts regulating. (See H. B. No. 326.)
Schools, Common—
General—
amendatory and supplemental to act of May 1, 1873. (See H. Bs. Nos. 52, 73, 83, 98, 104, 107, 120 and 141, and S. Bs. Nos. 49 and 78.)
to repeal certain sections of act of May 1, 1873. (See H. B. No. 173.)
to authorize commission to compile series of text-books. (See H. B No. 203.)
to provide separate schools for colored youth. (See H. B. No. 111.)
to authorize boards to determine places where to pay interest and principal on bonds. (See S. B. No. 114)
Local—
to authorize board of education of Versailles special district, Darke county, to borrow money. (See H. B. No. 50.)
to create separate district in Porter township, Scioto county. (See H. B. No. 95.)
to repeal act relative to Coshocton Union school. (See H. B. No. 105.)
to authorize board at Wapakoneta to borrow money. (See S. B. No. 22.)
to create sub-district in Gratis and Lanier townships, Preble county, and German and Jackson townships, Montgomery county. (See H. B. No. 148.)
to create a separate district in Royalton, Fulton county. (See H. B. No. 198.)
to authorize board of Hocking township, Fairfield county, to issue bonds and borrow money to build school-houses. (See H. B. No. No. 199.)
to transfer money to school fund in New London, Huron county. (See H. B. No. 220)
to authorize board at Caledonia, Marion county, to borrow money. (See H. B. No. 239.)
to authorize board at Jeromeville, Ashland county, to levy tax. (See H. B. No. 240.)
to create new district in Madison twnship, Columbiana county. (See H. B. No. 166.)
to create joint district in Champaign and Shelby counties. (See H. B. No. 261.)
to create sub-district in Starr and Green townships, Hocking county. (See H. B. No. 241.)
for relief of board of education of Mansfield. (See S. B. No. 112.)
to create district in Beaver Creek township, Green county. (See H. B. No. 296.)
to authorize board at Cambridge, Guernsey county, to levy tax. (See H. B. No. 344.)
to authorize board at Mineral Ridge, Trumbull county, to levy tax. (See S. B. No. 144)
to authorize board of Hicksville, Defiance county, to borrow money. (See S. B. No. 115.)

Common Schools—Local—
for the consolidation of districts in Rumley township, Harrison county. (See H. B. No. 280)
to creat district in Wayne and Smithfield townships, Jefferson county. (See H. B. No. 281.)
to create a joint district in Shelby county. (See H. B. No. 26.)
Scioto County—
to authorize commissioners to levy additional tax. (See H. B. No. 324.)
Scioto Marsh, Hardin County—
amendatory to act for draining of. (See H. B. No. 156.)
Scott Township, Adams County—
to authorize trustees to levy a tax to build foot-bridge. (See H. B. No. 346.)
Securities—
for the relief of in civil actions. (See H. B. No. 11.)
in criminal cases required to make affidavit. (See S. B. No. 51.)
to relieve executors and administrators. (See H. B. No. 329.)
Secretary of State—
requested to furnish laws and documents 8
report in relation to H. R. No. 55 259
communication from relative to printing for Constitutional Convention 330
in reply to House Resolutions Nos. 76 and 77; also S. J. R. No. 28 ..... 330, 335
authorized to distribute certain reports. (See S. J R. No. 48.)
communication in regard to Geological Reports 318
Seneca Township, Monroe County—
to authorize trustees to levy tax to pay bounty. (See H. B. No. 32.)
Sidewalks—
amendatory of act to protect. (See House Bills Nos. 147 and 158.)
to protect in certain cases specified. (See H. B. No. 221.)
Shelby County—
to establish a joint sub-school district. (See H. B. No. 26.)
to attach additional territory to sub-district No. 1, Franklin township. (See H. B. No. 172.)
to transfer from first sub-division of third judicial district to second sub-division. (See H. B. No. 178.)
to change time of holding term of court. (See H. B. No. 323.)
Sharpshooters' Associations—
amendatory of act to incorporate. (See S. B. No. 98.)
Sharon Township, Richland County—
to authorize trustees to pay promissory note. (See. S. B. No. 135.)
Sheriffs—
fixing compensation for keeping prisoners. (See S. B. No. 122.)
amendatory of act regulating fees. (See H. B. No. 277.)
Spencer Township, Hamilton County—
to authorize trustees to sell town hall. (See H. B. No. 267.)
Stamp—
Governor authorized to use. (See S. B. No. 6.)

Steam Boilers—
to prevent interference with. (See H. B. No. 86.)
Stewart, Gideon—
official vote for 22
Stewart, Charles—
nominated for second assistant sergeant-at-arms 7
Stidham, Rev. I. F. —
prayer by 200, 203, 211, 224, 231, 244
Stone-coal and Cord-wood—
to regulate the measurement of. (See H. B. No. 109, and S. B. No. 90.)
Sumner, Charles—
adjournment in respect to memory of. (See H R. No. 5.)
Superior Court of Cleveland—
to repeal an act establishing. (See H. B. No. 149.)
to amend section 29 of the act establishing. (See H. B No. 312.)
Swing Bridges—
to enable commissioners or councils to construct. (Ses H. B. No. 162.)

THOMPSON, RUSSELL C., Representative from Lucas County—
appointed on committees 37, 38, 53, 175, 304
bills introduced by 176, 388
leave of absence granted to 67, 233, 439, 551, 686
motions made by, 50, 55, 107, 108, 111, 175, 191, 211, 221, 288, 298, 301, 351, 352, 388, 392, 420, 504, 512, 513, 514, 521, 538, 539, 541, 545, 565, 566, 601, 621, 623, 625, 633, 705, 746.
nomination by 4
oath of office administered to 3
petitions and remonstrance presented by 108, 301, 385
report submitted by 182
resolutions offered by 46, 609

THOMPSON, JAMES F., Representative from Montgomery County—
appointed on committees 37
bills introduced by 101, 131, 326, 428, 612
leave of absence granted to 546, 551
motions made by 54, 173, 275, 278, 427, 456, 510, 714
oath of office administered to 4
petitions and remonstrances presented by 198, 206, 231, 383, 475, 613
report submitted by 394

TRYON, HOSMER G , Representative from Lake County—
appointed on committees 37, 216
bills introduced by 88, 145, 578
leave of absence granted to 70, 334
motions made by 216, 470
nomination made by 5
oath of office administered to 3
petitions and memorials presented by 147, 303, 316, 561
reports submitted by 81, 220, 730

Taft, Rev. L.—
prayer by 395, 404, 415, 419, 427

Taxation—
to authorize trustees to levy for certain purposes. (See H. B. No. 8.)
to prescribe rate for purposes named. (See H. B. No. 9.)
limiting rate of in corporations. (See H. B. No. 161.)
to amend act for taxation of property (See H. B. No. 171.)
to authorize commissioners Pickaway county to levy. (See H. B. No. 191.)
to amend section 44 of act of May 8, 1868. (See S. B. No. 45.)
prescribing the rate for all purposes. (See S. B. No. 70.)
to amend act for collection of. (See S. B. No. 81.)
amendatory of act for assessment of. (See H. B. No. 299.)
prescribing the rate for State. (See S. B. No. 74.)
limiting the rate in municipal corporations. (See S. B. No. 92.)
amendatory of act for taxation of real and personal. (See H. B. No. 339.)
supplementary to acts for collection of delinquent. (See H. B. No. 251.)
Tax-payers (Delinquent)—
for the relief of. (See S. B. No. 5.)
Testimony—
to provide for the efficiency of in certain cases. (See H. B. No. 256.)
Text-books—
to authorize commission to compile series of. (See H. B. No. 203.)
Thompson Township, Geauga County—
relative to town hall in. (See H. B. No. 187.)
Thistle, Canada and American—
to prevent the spread of. (See H. B. No. 61.)
Thurman, Allen G —
elected United States Senator 54
Toledo, City of—
to authorize to borrow money. (See S. B. No. 60.)
Toll Roads—
to repeal an act for converting into free. (See H. B. No. 302.)
amendatory of act fixing rates on. (See S. B. No. 148.)
Toll, Willie—
appointed page 61
Township—
to create new in Wood county. (See H. B. No. 166.)
Township Clerks—
amendatory of act relative to depositing mortgages with. (See H. B. No. 242)
Transportation Tickets—
for protection of persons purchasing. (See H. B. No. 196.)
Treasurer of Knox County—
authorized to pay out certain funds. (See H. B. No. 121.)
Treasurer of State—
to authorize the cancellation and return of certain bonds. (See H. B. No. 15 and S. J. R. No. 14.)
Treasury, Independent—
to amend an act relative to. (See H. B. No. 137.)
Trees—
for the protection and increase of. (See H. Bs. Nos. 110, 158 and 190.)
to encourage the planting and cultivation of. (See H. B. No. 315.)

Trespassing Animals—
amendatory of acts relative thereto. (See H. Bs. Nos. 70, 97, 99 and 157.)
Trust, assignments in—
amendatory of act regulating. (See H. B. No. 188 and S B. No. 55.)
Trustees of Townships—
to authorize the filling of vacancies in boards of. (See H. B. No. 209.)
to amend act authorizing erection of township houses. (See H. B. No. 289.)
Turnpikes and Plank-roads—
to authorize commissioners Brown county to construct. (See H. B No. 174.)
to authorize commissioners to levy tax. (See H. Bs. Nos. 215 and 250)
relative to the collection of toll on. (See H. B. No. 93.)
Tuscarawas County—
to authorize commissioners of to borrow money. (See H. B. No. 115.)

U

Unclaimed Costs—
to repeal an act relative thereto. (See H. B. No. 79.)
Unclaimed Freights and Express Packages—
amendatory of act for disposition of. (See S. B. No. 72.)
United States Senator—
election of.....43, 47, 54
Union Bridge Company—
to repeal an act to incorporate. (See S. B. No. 84.)
Urichsville Agricultural Society—
to authorize president and secretary to sell grounds. (See H. B. No. 185.)

V

Van Meter, William, Representative from Noble County—
appointed on committees.....37, 38, 175, 268, 304
bills introduced by.....101, 145, 156
leave of absence granted to.....148, 188, 332
motions made by.....268, 288, 304, 337, 381, 453, 465, 476, 502
oath of office administered to..... 4
reports submitted by.....377, 503
substitute for bill offered by..... 153
Varley, John, Representative from Washington County—
appointed on committees.....37, 38
bills introduced by.....77, 234, 484
leave of absence granted to.....143, 321, 551
motions made by.....228, 620, 661
oath of office administered to..... 4
petition, memorial and remonstrances presented by.....198, 286, 308, 323
report submitted by..... 281
resolution offered by..... 118
Vincent, John C., Representative from Morgan County—
appointed on committees.....37, 38, 304
bill introduced by..... 428
leave of absence granted to.....93, 357, 546

VINCENT, JOHN C., Representative from Morgan County—
motion made by 453
oath of office administered to 4
petition presented by 167
resolutions offered by 81, 141
Vance, John D.—
for the relief of. (See H. B. No. 313.)
Van Doren, William—
for the relief of. (See H. B. No. 341.)
Van Wert County—
to authorize commissioners to build court-house. (See H. B. No. 143.)
Versailles School District, Darke County—
to authorize board to borrow money. (See H. B. No. 50.)

W

WALKER, E. M., Representative from Darke County—
appointed on committees 37, 38
bills introduced by 142, 278
leave of absence granted to 295, 427
motions made by 241, 277, 317, 589, 661
oath of office administered to 3
petitions presented by 41, 212, 231, 381
reports submitted by 112, 376, 731
resolution offered by 72
WATSON, JAMES, Representative from Monroe County—
appointed on committees 37, 275
bills introduced by 50, 725
leave of absence granted to 234, 551
motion made by 524
oath of office administered to 4
petitions presented by 172, 420
reports submitted by 113, 156, 186, 261, 282, 328, 344, 348, 494, 663
resolutions offered by 472, 720
WEIBLE, HENRY, Representative from Van Wert County—
appointed on committees 8, 37, 57, 560
bills introduced by 18, 149, 429
motions made by 13, 578
nomination made by 84
oath of office administered to 4
petitions, memorials and remonstrances presented by, 87, 114, 143, 212, 225, 231, 245, 265, 395.
reports submitted by 263, 377, 734, 736
resolutions offered by 8, 40, 56
WEST, S. A., Representative from Clermont County—
appointed on committees 37, 38, 53, 63, 275, 277
bills introduced by 42, 145, 152
leave of absence granted to 195, 506
motions made by 277, 307, 366, 438, 463, 470, 563, 573, 578, 665, 702, 727
oath of office administered to 3

WEST, S. A., Representative from Clermont County—
petitions, memorials and remonstrances presented by, 72, 107, 122, 265, 308, 336 382, 395, 442, 475, 717.
reports submitted by 90, 104, 116, 249, 378, 495, 496, 590, 663, 664
resolution offered by 391
WHITE, T. J., Representative from Crawford County—
appointed on committees 37, 38, 304, 559
bills introduced by 291, 342, 428
leave of absence granted to 146, 247, 321
motions made by 10, 63, 72, 122, 142, 208, 321, 343, 505, 532, 644, 647, 715
nomination made by 84
oath of office administered to 3
petitions and remonstrances presented by 107, 151, 198, 206, 273, 381, 474
report submitted by 601
resolutions offered by 8, 19, 61, 438
notice to discuss resolution 63, 118, 352, 389
call of the House demanded by 464
WILLIAMS, T. B., Representative from Delaware County—
appointed on committees 37, 38, 59, 523, 559, 740
bills introduced by 88, 483
motions made by 328, 539
oath of office administered to 3
petitions and remonstrances presented by 107, 206, 442, 512, 689
Ward and Guardian—
concerning the relation of. (See H. B. No. 153.)
Washington County—
to authorize commissioners of to levy tax. (See S. B. No. 125.)
Waters, Mary and Ellen—
relative to appropriating money to. (See S. J. R. No. 37.)
Wayne County—
to authorize commissioners to borrow money. (See H. B. No. 268.)
Weights and Measures—
to provide for a uniform standard of. (See H. Bs. Nos. 151 and 358, and S. B. No. 105.)
Weil, Rev. Mr.—
prayer by 297, 301, 307, 315, 321
Weimer, George—
official vote for 22
Welsh, Isaac—
official vote for 22
Western Reserve and Maumee Road—
relative to county commissioners taking control of. (See H. B. No. 16.)
Wilson, George C.—
for the relief of. (See H. B. No. 278.)
Williams, A. C.—
nominated for assistant clerk 5
Wills—
amendatory of certain sections and to repeal former acts relative to. (See H. Bs. Nos. 131 and 228, and S. B. No. 119.)
to define the practice in trials for the contesting of. (See S. B. No. 94.)

Wines, E. C.—
lecture on prison reform by 142
Witnesses—
relative to fees of. (See H. B No. 19.)
Wood, David L.—
for the relief of. (See H. B. No. 253.)
Wood County—
to provide for the removal of the county seat of. (See H. B. No. 92, and S. B. No. 142.)
to create a new township in. (See H. B. No. 165.)
Woolen Goods—
to prevent frauds in the sale of. (See H. B. No. 226.)

Y

YEAS AND NAYS.

On bills and resolutions, and on amendments and questions relating thereto, see table of bills under "B," and table of resolutions under "R."
On adjournments, 29, 30, 31, 33, 35, 36, 63, 68, 71, 72, 84, 85, 94, 95, 110, 113, 190, 191, 193, 196, 223, 331, 333, 352, 435, 436, 462, 473, 484, 505, 513, 520, 528, 529, 549, 554, 577, 597, 644, 647, 687, 688, 715, 739.
On election of officers of the House..... 4, 5, 6, 7, 82, 83, 84, 87, 105
On election of United States Senator..... 43
On taking recess..... 30, 110, 384, 484, 505, 513, 529, 531, 577, 613, 644
On dispensing with proceedings under a call of the House, 86, 408, 410, 469, 485, 520, 523, 524, 528, 549, 550, 597, 637, 638, 639, 686, 710, 738, 739.

Z

Zanesville, City of—
to authorize council to borrow money. (See S. B. No. 150.)

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